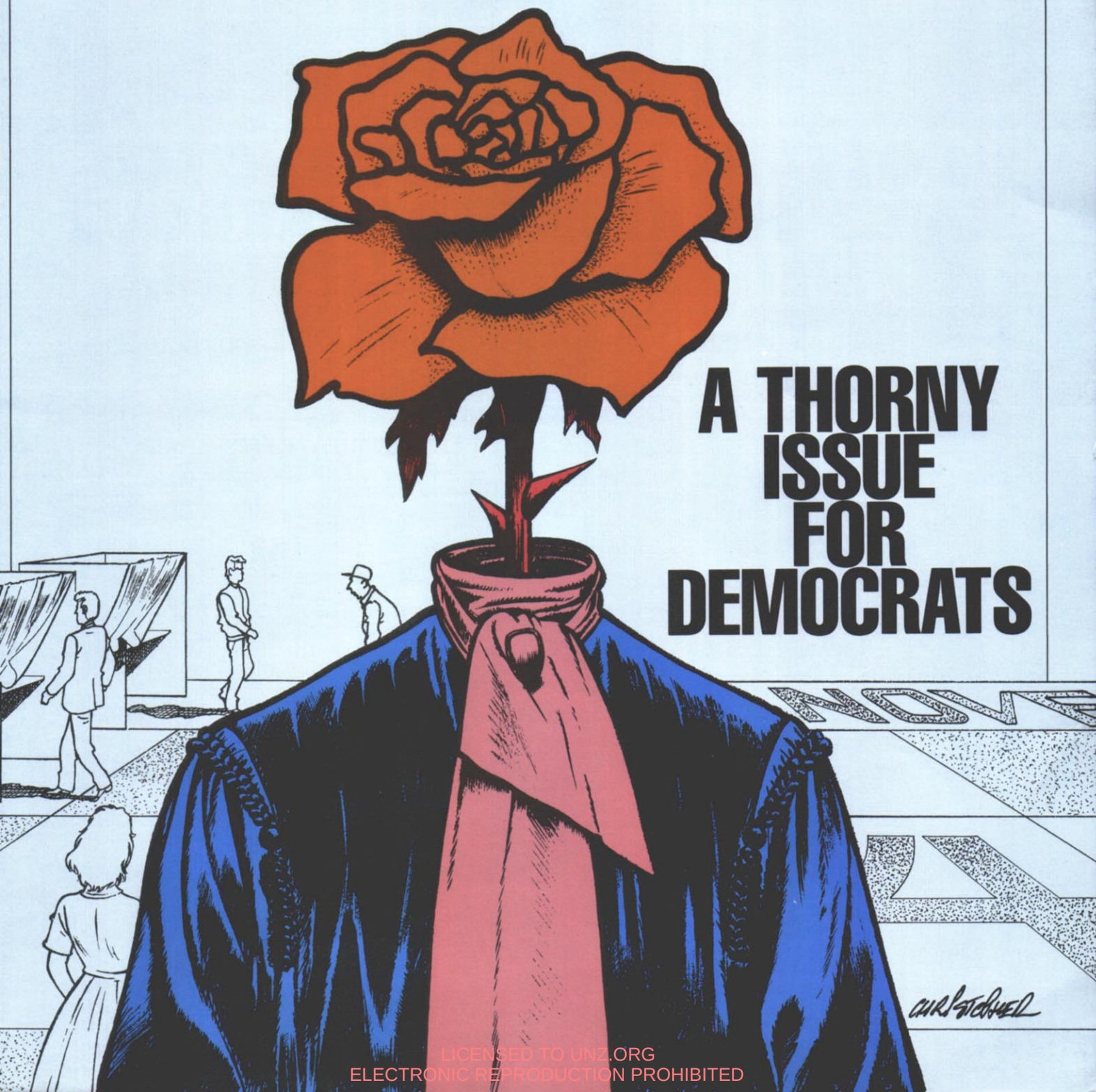
THE MONTHLY ANALYSIS OF STATE GOVERNMENT AND POLITICS

DECEMBER 1985 $2.50

# CALIFORNIA Journal



## A THORNY ISSUE FOR DEMOCRATS

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

# NOT EVEN THE SAN FRANCISCO EARTHQUAKE COULD SHAKE OUR COMMITMENT TO CALIFORNIA.

For more than 100 years, even through the 1906 earthquake, AT&T has been firmly committed to California.

We brought the first transcontinental call to San Francisco in 1915. And now, San Francisco is headquarters for all our West Coast long distance switching—including all the international traffic to and from the Pacific Rim.

Across the Bay in Oakland is our West Coast headquarters for business information systems.

We support the arts here, like the San Francisco Symphony.

And our people volunteer to do things like tutoring Asian immigrant children in English.

We're very committed to California.

To us, it's not just a place to sell telephones, information and network systems, long distance services and computers.

It's a home.

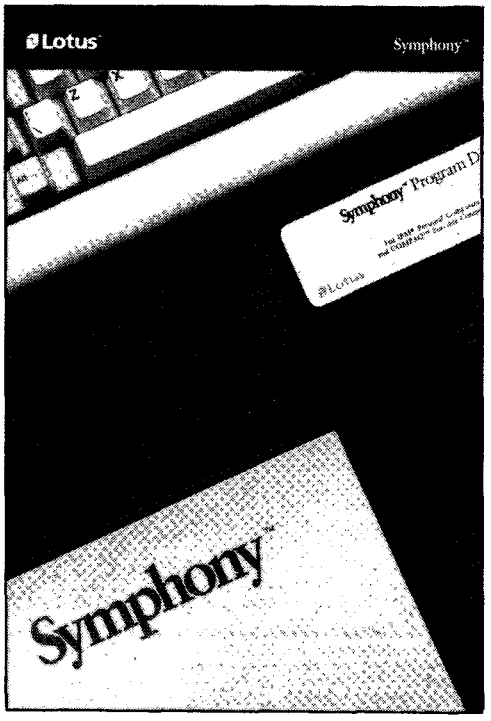
AT&T
The right choice.

©AT&T 1985

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

# SYMPHONY™ UPGRADE ON SCHEDULE?

## ONLY FROM TECHNOLOGY SERVICES!




Those who use Symphony know how brilliantly Lotus® Development Corporation has harmonized the five most popular office software functions in a single package: worksheet, word processing, database, graphics, and communications.

Newly upgraded Symphony 1.1™ extends those capabilities even further, making them easier to use. And for government personnel, TSI makes getting a copy of this upgrade even easier!

### TSI steps in to save you time and trouble.

Technology Services has arranged a unique agreement with Lotus and GSA. Not only can you order your Symphony Upgrade straight from TSI, but you can buy it on Schedule. It's only a phone call away.

Forget the hassles of petitioning for cash payments, or getting a check cut "right away." You can order your upgrade from TSI quickly and easily. And our advanced purchase order tracking system, large inventory, and knowledgeable sales representatives ensure the prompt receipt of your order. Call us for details.

### Extended capabilities through an extensive upgrade.

Symphony 1.1 gives you easy, menu driven installation. Its flawless support of the extended memory specification developed by Lotus and Intel allows you to utilize up to four megabytes of memory, with no extra effort. And a sophisticated new Macro Library Manager allows you to store your macros independently of the worksheet, so you don't have to build a new macro for each application.

The upgraded Symphony also supports arithmetic co-processors, (both the 8087 and 80287), so it's faster than ever. Of course, top word processing features like the Text Outliner and Spelling Checker continue to be supported; and look for the new Symphony Link™ for communicating with your mainframe, within the familiar Symphony environment.

**Want to know more? Call TSI today for details: (703) 354-8668.**

Technology Services, Inc.℠

"The Government Software Center"

Western Regional Office:
1401 21st Street, Suite 308, Sacramento, CA 95814

**916/443-6193**

**Eastern Regional Office: 703/354-8668 FTS Users: 202/354-8668**

**Schedule B GSA Contract No. GS00K85AGS5150 Schedule C GSA Contract No. GS00K85AGS6059**

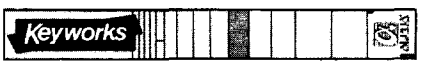
Lotus

The trademarks and registered trademarks shown are proprietary to their respective manufacturers.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

# MICRO SOFTWARE

## *Low Government Prices*

| MANUFACTURER | PRODUCT | SUGGESTED RETAIL | GOV'T. PRICE |
|---|---|---|---|
| ASHTON·TATE™ | **Framework:** Integrated spreadsheet, DBMS, graphics, word processing, DOS access, telecommunications, and outlining. | $695 | **$430.90** |
| SORCIM/IUS MICRO SOFTWARE A Division of Computer Associates International, Inc | **SuperProject:** The #1 rated, advanced full color project management tool for scheduling and budgeting. Easy user customization. | $395 | **$225.15** |
| MICRORIM™ Your way. That's Rway. | **R:Base 5000:** The new database standard for professional programmers; sorts 362% faster than the leading competitor. | $700 | **$399.00** |
| MICROSOFT® | **Microsoft Word:** Popular word processor for the IBM PC permits columnar format, includes free spelling checker, and up to eight windows. | $375 | **$232.50** |
| ALPHA SOFTWARE CORPORATION |  **Keyworks:** The keyboard macro program PC WEEK called "wonderful product... miles ahead of its competition...one of the most important products released this year." | $89.95 | **$62.95** |

## *Hundreds of programs, up to 50% off, ready for fast delivery!*

Most leading software companies are represented by Technology Services, Inc. (TSI) on the new GSA Micro Software Schedule for 1985/86.

Now more than ever, TSI is the best source for the most popular software packages. And we now offer training on GSA Schedule.

### *Peripheral products for IBM® PCs too.*

If you need memory expansion and/or graphics boards for your IBM PC, talk to us. We carry fine products from AST Research, Hayes, Polaroid, Paradise Systems and more on GSA Schedule B.

### *And we'll save your agency money.*

With more top products by more major software companies ready for rapid delivery. More understanding of government procedures and regulations to help you process your purchases and cut through red tape so you can get products you need, fast.

Volume discounts to stretch your agency's budget...knowledgeable sales people to help guide your software selection....responsible technical support available every working day...and more.

We'll even give you government discounts on all "open market," non-schedule purchases. And honor the same terms and conditions as for our GSA Schedule products.

### *Save 30% to 50% on every package—plus volume discounts!*

*Open market purchase

**Technology Services, Inc.**℠

**"The Government Software Center"**

Western Regional Office:
1401 21st Street, Suite 308, Sacramento, CA 95814

**916/443-6193**

**Eastern Regional Office: 703/354-8668 FTS Users: 202/354-8668**

GSA Schedule C
Contract # GS00K85AGS6059

*The trademarks and registered trademarks shown are proprietary to their respective manufacturers.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

# ...AND AN EXTENSIVE SELECTION OF PERIPHERALS.

| MANUFACTURER | ENHANCEMENT PRODUCT | | SUGGESTED RETAIL | GOV'T PRICE |
|---|---|---|---|---|
| QUADRAM™ An Intelligent Systems Company | **Expanded Quadboard®** | A single board combining the PC user's most wanted features, including serial, parallel, and game ports, clock/calendar, and software. Expandable to 384K (64K included). | $395 | $288.35 |
| STB Systems, Inc. | **The Chauffeur** | Built for IBM monochrome monitors (or equivalents). Displays color graphics software in full-screen format, without the use of software drivers or preboot software. | $395 | $275.00 |
| | **Rio Plus II** | Features a serial port, parallel port, clock/calendar. PC Accelerator. (Game port, second serial port optional.) Includes 64K memory (expandable to 576K.) | $349 | $245.00 |
| Hayes® | **Smartmodem™ 2400** | Sets a new standard for high speed communications with 2400 baud transmission and advanced digital signal processing. | $899 | $629.30 |
| intel® | **Above™ Board** | Increases your PC's capabilities by expanding its system memory up to 2MB (64K included). | $395 | $288.35 |

Technology Services, Inc. has all the peripherals you need to expand the functions of your IBM PC or compatible micro.

With TSI's wide selection of low-priced peripherals, you can *quadruple* your RAM...plug into *Local Area Networks* (LAN's) as easily as you plug into a standard modular telephone jack...add *high-resolution, bit-mapped graphics* capability to your Lotus™ 1-2-3 or other database management software...*direct-connect* to other PC's, mainframes, databases and information services throughout North America.

We carry high quality, output-upping peripherals from Hayes,® AST Research, Paradise Systems, Polaroid,® Novation, Quadram, Persyst,™ Intel and others...peripherals that let you make full use of the latest software. And we're adding new ones all the time.

## *Prompt delivery, quality service and tech support.*

When you're ready to order, just call. We'll respond quickly. And continue to respond, after purchase, with intelligent service and support. Our well-qualified staff of experts is eager to assist you in getting the most from your software and peripherals.

Our advanced new Purchase Order Tracking System assures you of getting your order faster than ever before.

*Open Market Purchase

*Further discounts available. Call for pricing.*

Technology Services, Inc.℠

"The Government Software Center"

Western Regional Office:
1401 21st Street, Suite 308, Sacramento, CA 95814

**916/443-6193**

**Eastern Regional Office: 703/354-8668 FTS Users: 202/354-8668**

GSA Schedule B
Contract # GSOOK85AGS5150

Call today to place your order or request a GSA Schedule

The trademarks and registered trademarks shown are proprietary to their respective manufacturers.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

*All of these Bonds having been sold, this announcement appears as a matter of record only.*

In the opinion of Bond Counsel, interest on the Bonds is exempt from Federal income taxes and from State of California personal income taxes.

New Issue / October 25, 1985

# $100,000,000

# California Health Facilities Financing Authority

## Floating Rate Weekly Demand Revenue Bonds (Pooled Loan Program), 1985 Series B

Due: October 1, 2010

Initial Interest Rate: 5.05%

Price: 100%

Payment of the principal of and interest when due on the Bonds will be insured by an insurance policy to be issued by

Financial Guaranty Insurance Company

The Bonds are subject to redemption prior to maturity as described in the Official Statement.

E. F. Hutton & Company Inc.

PaineWebber Incorporated

L. F. Rothschild, Unterberg, Towbin

Kidder, Peabody & Co. Incorporated

Shearson Lehman Brothers Inc.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

CALIFORNIA Journal

VOLUME XVI, NUMBER 12 DECEMBER 1985

PRESIDENT AND PUBLISHER
Thomas R. Hoeber
EDITOR
Richard Zeiger
MANAGING EDITOR
A.G. Block
ART DIRECTOR
Chris Van Overloop
BUSINESS MANAGER
Barbara Aguirre
EDITORIAL ASSISTANT
Karin Petersen
PUBLISHER'S REPRESENTATIVE
Colt Stewart
WASHINGTON CORRESPONDENT
Leo Rennert
CONTRIBUTING ARTISTS
Paul Duginski, Steve Greenberg, Tom McGee
STAFF: Hope Tuttle, Mary E. Gillis
Robin Robinson
COUNSEL: Conrad Lee Klein

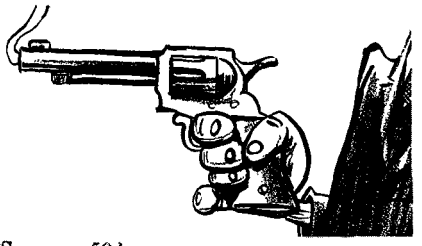
CALIFORNIA JOURNAL is a non-partisan, non-ideological analysis of California government and politics established in 1970 and published monthly by The California Center, a non-profit, public-benefit corporation.

The *Journal* is indexed in Public Affairs Information Service, New York Times Information Bank, Sage Urban Studies Abstracts, Urban Affairs Abstracts, Public Issues Index and California Periodicals Index.

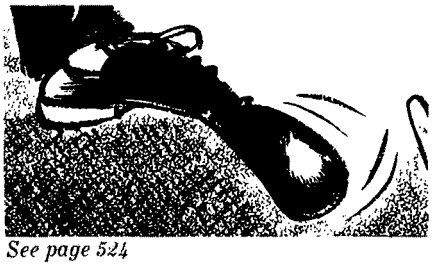
*California Journal* (ISSN 00081205) is published monthly. Subscription rates: Libraries and Government Agencies, $39; Corporations and Associations, $75; Special Individual Rate, $24.95. Address all inquiries to California Journal, 1714 Capitol Ave., Sacramento, California 95814. Telephone (916) 444-2840. Copyright 1985 by The California Center. Second class postage paid at Sacramento. POSTMASTER: Send address changes to CALIFORNIA JOURNAL, 1714 Capitol Ave., Sacramento, CA 95814.

BOARD OF DIRECTORS
ROSELLEN KERSHAW, chairperson, former president, California Division, AAUW, Fresno.
E. L. LAMMERDING, vice-chair, chairman of the board, Sierra Resources Corporation, Sacramento.
DAVID CRIPPENS, vice president for national productions, KCET, Los Angeles.
LOU GARCIA, deputy city manager, San Jose.
STEPHEN D. GAVIN, Gavin, Abel & Flanigan, Inc., Los Angeles.
R. WILLIAM HAUCK, executive vice president, Public Affairs Information, Sacramento.
THOMAS R. HOEBER, publisher, *California Journal*, Sacramento.
GARY H. HUNT, vice president and assistant to the chairman, board of directors, Irvine Company.
KENNETH L. KHACHIGIAN, attorney, San Clemente.
JOANNE CORDAY KOZBERG, Los Angeles.
EUGENE C. LEE, director, Institute of Governmental Studies, University of California, Berkeley.
ROBERT T. MONAGAN, president, California Economic Development Corp., Sacramento.
VIGO G. (CHIP) NIELSEN, attorney, Nielsen, Hodgson, Parrinello & Mueller, San Francisco.
RICHARD T. SILBERMAN, former state finance director, San Diego.
GERALD L. WARREN, editor, *The San Diego Union*, San Diego.

# CONTENTS



*See page 503*



*See page 524*

**Rose Bird and the Democrats** *by Larry Liebert* **493**

*Chief Justice Rose Bird is on the ballot next year, and her candidacy poses some thorny problems for Democrats.*

**Bradley-Duke: Round Two** *by Richard Bergholz* **496**

*With a potential rematch less than a year away, Los Angeles Mayor Tom Bradley and Governor George Deukmejian are gearing up their gubernatorial campaigns.*

**The State Bar under fire** *by K. Connie Kang* **503**

*The State Bar's dual role as a dues-collecting association and a disciplinary authority for lawyers is under serious scrutiny by reformers and lawmakers.*

**B-1 Bob Dornan** *by Larry Peterson* **509**

*Orange County's feisty man about Washington revels in the rough-and-tumble world of congressional politics.*

**The Legislature and off-year fund raising** **511**

California Journal *presents a relevant chapter from "The New Gold Rush: Financing California's Legislative Campaigns," a recently released report from the California Commission on Campaign Financing.*

**Sacramento's eastern clone** *by Dan Meyers* **515**

*A former Sacramento Capitol correspondent says there are more than a few similarities between his old haunt and his new one — Pennsylvania's capital, Harrisburg.*

**It sure isn't Kansas** *by Susan Penner* **519**

*California has embarked on a glitzy new effort to promote tourism and trade — "The Californias" campaign.*

**A risky switch** *by John Schwada* **524**

*Assemblyman Richard Alatorre is seeking to become the only Latino member of the Los Angeles City Council, but that means giving up a very secure niche in the state Assembly.*

**Student loan programs** *by Curtis Richards* **527**

*The student loan program has grown dramatically in recent years, both in California and nationally.*

**Wiring the Legislature** *by Marc Lifsher* **529**

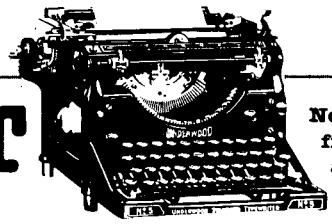
*A group of lawmakers wants to make legislators the new stars of daytime television with CSPAN-like coverage of the Legislature.*

Up Front ..... 490
Rostrum ..... 502
Capitol Month ..... 530
Ballot front ..... 531
Rennert ..... 532



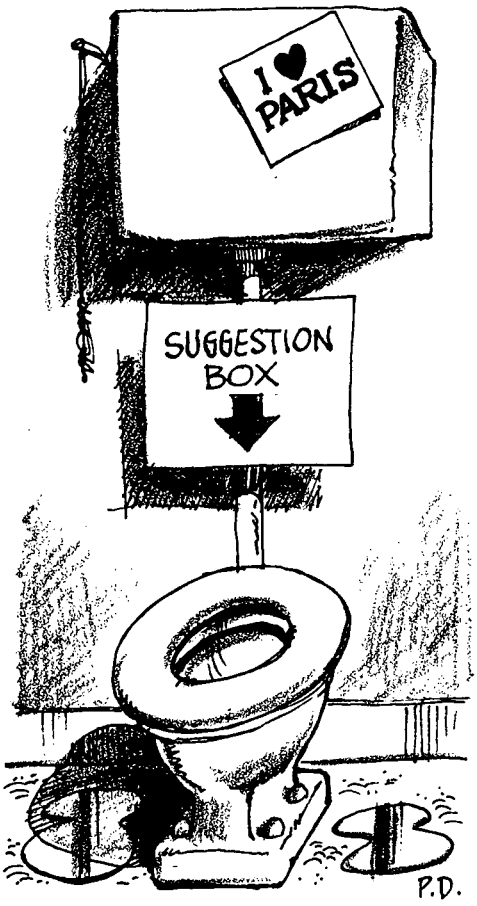
LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

# UP FRONT



**Notes and Items from Contributors and the Journal Staff.**

**Just another drama** in the life of the San Francisco Board of Supervisors: Supe Wendy Nelder wanted the city to buy or lease state-of-the-art public toilets for its burgeoning population of street people. Nelder planned a well-publicized junket to Paris (France, not Texas) to examine the loos, and even paid for the trip out of her own pocket (actually, out of her campaign fund). But Supe Richard Hongisto stole Nelder's thunder by beating her to Paris (France, not Texas), then suggesting that the French manufacturer foot the bill to bring samples over here. Meanwhile, Nelder asked for $300,000 to lease 25 toilets, but the supe's Public Works Committee flushed that idea, saying it was just too expensive. Bunk, retorted




Nelder, who said that one loo foe, Supe Quentin Kopp, wanted $78,000 to study the idea of bringing a rock music museum to San Francisco. That, Nelder fumed, would pay for six toilets. Yes, just another drama in the life of San Francisco supervisors.

---

**Corporate California's** political operatives gathered in Palm Springs late last month to plot strategy for the coming year. Lest anyone think the California Manufacturer's Association Governmental Affairs Conference was all stodgy talk about money and politics, the group took time out on Halloween for a costume party, with each celebrant dressed in a political motif. The winners (remember this is based on best costume, not best theme): Donna L. Benner of Intel Corporation for encasing herself in a large, green foam-rubber outfit and handing out notes that read, "Hi! I'm Governor Deukmejian. I've gotten myself into quite a pickle with American business over this Unitary thing;" and John V. German, of Lear Sigler, Inc., for appearing in public with tights, leg warmers, head band and grapefruit as Jane Fonda.

---

**California** has launched an expensive and ambitious effort to boost tourism throughout the state (see story, page 519). Well, someone ought to tell the folks over at the California Lottery. One of the sponsors of the Lottery's first, televised "Big Spin" on October 26th was a competitor — the Reno (Nevada) Convention and Visitors Bureau.

*(Susan Jetton,* The San Diego Union*)*

---

**When it rains** in Washington, D.C., the corridors of power turn into gardens of multi-colored umbrellas, all left open to air, lining the halls outside congressional offices. Noticed in the Cannon House Office Building after the most recent deluge was a bright orange affair adorned with the logo of Gulf Oil. What made this so unusual was the fact that this umbrella was parked outside the door of Monterey Democrat Leon Panetta, a staunch opponent of off-shore drilling. The offending parasol was traced to an office intern.

*(Dana Bottorff, Washington, D.C.)*

---

**The clockwork efficiency** of the Deukmejian administration recently slipped a cog, much to the consternation of the state's tuna-boat owners. First the governor got them angry by vetoing a bill that would have given tax breaks to the tuna industry. Then he compounded it by writing to one of the bill's major supporters that he was "pleased to tell you that I have signed this legislation into law. Your comments were helpful . . . "

Press Secretary Larry Thomas confesses that the governor was "embarrassed" by the whole thing, adding, "Frankly, given the volume of mail around here, I'm surprised it doesn't happen more often."

---

**Governor George Deukmejian** is burnishing his reputation as a raconteur just in time for the political season. An example from a recent speech: "Ladies and gentlemen, this state may have a bear on its flag, but I'm bullish on California. As one who's sometimes accused of not being too colorful, let me put it this way. In just three years, California went from being in the red with Brown to being in the black and feeling in the pink. I'm sorry if that makes some people green with envy." They apparently love it on the speech-making circuit, for the governor has used that line more than once.

---

**Dave Swoap** doesn't forget his friends. During his retirement party last month, the recently-departed secretary of the state's Health and Welfare Agency took some good-natured ribbing from San Francisco Democratic Assemblyman Art Agnos. Agnos and Swoap, despite vastly different political views, combined earlier this year to develop a new work-for-welfare program. Swoap had the last laugh on Agnos, rumored to be interested in becoming mayor of San Francisco, when he said he had "already promised Art Agnos



LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

that I will either support him or oppose him, whatever he feels will do the most good."

*(Peggy Bengs, Sacramento)*

**The heels of justice** may grind slowly, but they sometimes grind exceedingly fine. Gardena Assemblyman Richard Floyd, for example, was complaining at a recent meeting of the Joint Legislative Prison Committee that there seemed to be interminable delays in constructing the new prison planned for San Diego County. Democrat Floyd estimated that it should be completed "just about in time" to house San Diego Mayor Roger Hedgecock, who was convicted in October of 12 counts of perjury but whose conviction has been thrown into doubt by charges of jury tampering on the part of a court bailiff.

*(Barbara Hadley, Sacramento)*

TRICK-or-TREAT BAG
McGruff™ says!
HAPPY HALLOWEEN
BUT KNOW A FEW SAFETY TRICKS
• Bring your treats home so your parents can see them.
• Don't eat treats that are not wrapped.
• Use Sidewalks
• Wear light-colored clothing so you can be seen easily.
• Carry a flashlight in this bag for added visibility.
TAKE A BITE OUT OF CRIME

OFFICE OF CRIMINAL JUSTICE PLANNING
GEORGE DEUKMEJIAN
GOVERNOR OF CALIFORNIA

**Is it just us, or has the size of the governor's name been made larger on various items circulated among the general public? Could another gubernatorial campaign be just around the corner? And since next Halloween comes but five days before the November 4, 1986, election, will Deukmejian's name be even bigger on next year's Trick-or-Treat bags?**

**Senate pro Tem David Roberti** joined some illustrious company recently when he received the Simon Wiesenthal Center's Humanitarian Award at a banquet November 10th. The three previous award winners were physicist Andrei Sakharov, a Soviet dissident whose life has been a monument to the struggle against oppression; Swedish diplomat Raoul Wallenberg, who disappeared at the end of World War II after rescuing more than 100,000 Jews from Nazi concentration camps; and French President Francois Mitterrand. Roberti, the first American so honored, won the award for sponsoring a bill that helped fund a "Museum of Tolerance" to remember victims of genocide.

**Convenient memory department:** A few weeks ago Governor Deukmejian sent a letter to registered Democrats, suggesting that they switch to the GOP. The reason, the governor said, was that since many moderate Dems tend to support Republicans on major issues, they ought to register as Republicans. For instance, he wrote, "The Democratic leaders opposed Proposition 13 (the Jarvis-Gann, property-tax-cutting initiative of 1978)." That and other remarks prompted a huge "Hurrumph!" from Senate pro Tem David Roberti, who reminded the governor that then-Senator Deukmejian also opposed Prop 13.

**The Pat-on-your-own-back Department** salutes Nelson/Padberg Communications of Costa Mesa. Usually in the business of promoting things political, it instead issued a three-page press release promoting itself by detailing its 1985 won-lost record in political campaigns.

**Assemblyman Sam Farr** may have come up with a unique way to solve two pressing social problems — the balance of trade deficit and the increasing tendency of Californians to sue one another — with one bold stroke. At the close of a conference on "Technology, Industrial Competitiveness and State Policy," the Carmel Democrat suggested that "for every Japanese car sold in America, a lawyer should be sent to Japan."

*(Patricia Sullivan, Sacramento)*

**The folks in Adelanto** have always had an independent streak. Long on the lookout for a way to bring quick wealth to their moribund San Bernardino desert-crossroads town — in the past they've supported legal casino gambling and, more recently, construction of a state prison — they have been frustrated at almost every turn. Now the city council has turned its wrath on the community's state senator, H. L. Richardson, Republican from Glendora. Richardson, it seems, was too successful in opposing the proposed state prison, which just happens to be against the wishes of just about everybody else in the rapidly growing Victorville area except Adelantoans. Since there are too few Adelanto residents to get Richardson off their backs, they figured to do the next best thing by getting themselves off Richardson's back by seceding from his district. In a letter to Governor Deukmejian and the Legislature pleading, "please set us free," the council said it was waving "the white flag of surrender and asks for mercy from the colleagues of Senator Richardson."

**Who says lobbyists** don't have hearts? It's come to our attention that Sarah Michael — front person for horse owners,

oil companies and assorted industrial giants — went to great heights to help her favorite charity, the anti-hunger agency Rescue Now. To be precise, she went to a height of 19,340 feet, the summit of Mount Kilimanjaro in Kenya. Lest this seems like just another in a series of death-defying achievements by the lobbyist — she's already been above 18,000 feet several times and once scaled Half Dome in Yosemite (the hard way, up the steep side) — she made her African trip into sort of an up-scale "bowl-a-thon" to raise money for Rescue Now. Since she solicited donations by the foot climbed, a one-cent pledge earned $193.40.

*Come across a blurb lately that's nosy, newsy or smart-alecky about California government, politics or politicians? Share it with the* Journal. *We pay up to $25 for entertaining tidbits published in "Up Front," so rush your items to Up Front, 1714 Capitol Avenue, Sacramento 95814. Sorry, submissions cannot be returned.*

"The saddest life is that of a political aspirant under democracy. His failure is ignominious and his success is disgraceful."
— H.L. Mencken


LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Advertisement

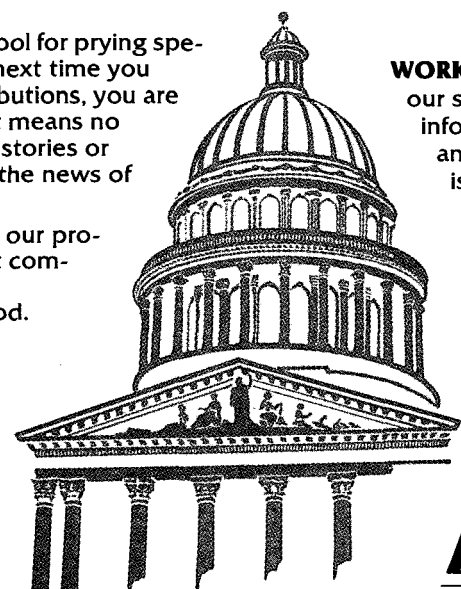
# Information is Power

**For over five years,** Legi-Tech has been a tremendous tool for prying specific data out of daily California legislative activities. The next time you need information about any bill, vote or campaign contributions, you are only seconds away from the answers you need now. That means no more expensive trips to the Capitol, searching through histories or scanning files. Legi-Tech eliminates the chaos by putting the news of today's political tidings at your fingertips.

**The system is SIMPLE** — both to learn and operate. All our programs were designed for those who know nothing about computers. The user is prompted along the way so that all information is more quickly at hand than any other method.

**Our service is RELIABLE.** We have been in business for five years providing the legislative community with organized and timely information. We have always come through for our clients. We do not make promises we don't intend to keep.

**Legi-Tech's hallmark has been consistency of service at a LOW COST.** Price is based upon annual fees for the services you select to fit your needs — not clocks or meters. That way you never pay for something you don't need.



**Above all, ours is a system that WORKS.** Day in and day out, people use our service to fill a variety of legislative information needs. Our staff is friendly and knowledgeable, our information is timely and we strive to make our clients happy. Please call us for more information. We'd love to hear from you.

After all, **information is power** only when it is timely and accurate.

Legi-Tech

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

LEGI-TECH • 1121 L STREET — THE SENATOR HOTEL • SUITE 207 • SACRAMENTO • CA 95814 • TELEPHONE (916) 447-1886

Rose Bird and the Campaign of 1986

# A thorny issue for Democrats

By LARRY LIEBERT

Rose Elizabeth Bird had an inauspicious start in partisan politics — running errands and chauffeuring Jerry Brown during his 1974 campaign for governor. Back then, no one would have suspected she might someday become the campaign issue of the year in California.

As governor, Brown appointed Bird, a friend from his college days, to his Cabinet in Sacramento. Later, he named her chief justice of the state Supreme Court, even though this bright and forceful attorney lacked any judicial experience. She has been controversial ever since.

In 1978 Bird received the support of only 52 percent of California voters — at least 11 percent less than any other justice — for her first confirmation vote. Conservatives that year waged a substantial campaign against her, but it apparently had little effect on other candidates. In 1986 Bird's fate may overshadow other campaigns, from the governorship and U.S. Senate to the state Legislature.

Early polls show Bird in serious trouble as she struggles to keep her job. The campaign to oust her is being led by conservatives who portray her as a "soft-on-crime" liberal who has obstructed imposition of the death penalty.

Publicly, just about every politician in the state pays lip service to the notion that judicial elections are lofty, non-partisan affairs. Officially, California's political parties plan no role in the debate over whether to retain Chief Justice Bird and the five other members of the state Supreme Court facing a reconfirmation election in November 1986.

Beneath that placid surface, however, powerful ambitions are stirring. Many California Republicans hope the drive to oust Bird will gather the awesome momentum of Proposition 13 — the tax-cutting initiative in 1978 that was something of a conservative revolution.

"It has the potential to become the same litmus test for candidates at all levels," said an adviser to Republican Governor George Deukmejian. The governor backs Bird's ouster.

"The Rose Bird election will be just like Proposition 13 was," said Assembly Republican Leader Pat Nolan, himself part of a generation of staunch conservatives swept into office by the power of that landslide election. "Every eight to ten years an issue comes along that so focuses the public's attention that all other issues become secondary. I think the Rose

*Larry Liebert is chief political correspondent of the* San Francisco Chronicle.



LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Bird issue is becoming that."

Nolan predicted voters would turn against Democratic candidates who "say they're going to support Bird, or, worse for them politically, try to fudge or hedge their bets."

Some Republicans speculate that anti-Bird sentiment may help their party win the crucial "swing vote" of blue-collar and conservative Democrats who have become increasingly disaffected with their own party in recent years.

For Democrats, attitudes toward the Bird confirmation contest range from gloom to plucky optimism. On the gloomy side, San Francisco political consultant Clint Reilly agreed that the Bird battle could be particularly damaging to legislative candidates in conservative districts.

PATRICK CADDELL

**Anti-Bird sentiment has peaked.**
— Patrick Caddell

"A significant issue in campaigns in the past ten years has been crime," said the Democratic campaign manager. "There has been an attempt on the part of Republicans to portray Democrats as weak on crime. This is a way of connecting Democrats up with ideological liberalism."

On Bird, Reilly said, "You're damned if you do, damned if you don't. You're damned if you stay neutral because people will say you're a phony. You're damned if you embrace her because the Republicans will say you're just another Rose Bird."

"Whether a member feels that way, it's probably best not to get involved in the battle," said state Senate President pro Tempore David Roberti, a Los Angeles Democrat. But he said he believes most Senate Democrats will join him in backing retention of Bird and the other justices on next year's ballot.

Asked if Bird's record will hurt Democrats, state Senator Daniel Boatwright, a conservative Democrat from Concord who says he will not support Bird but has yet to formally oppose her, said, "There's no doubt in my mind about it. Rose Bird was appointed by a Democratic governor. We're still being saddled with the acts of Jerry Brown."

Some Democrats deny that Bird will be a devastating issue for the party's candidates, regardless of her own fate. "Democrats can indicate their support for the death penalty and thereby immunize themselves against the liabilities of taking a neutral or support position," said Democratic Assemblyman Gray Davis of Los Angeles, who served with Bird in Brown's administration.

"I don't think it will hurt Democrats," said Assembly Speaker Willie Brown of San Francisco. He said of the Republicans, "They'll try anything in the world. They're still going to have to go one-on-one with our candidates."

In a particularly cynical view, one leading Democratic strategist, who requested anonymity, said he believes Bird

*Advertisement*

# CAMPAIGN FINANCE SYSTEM

NOW AVAILABLE!!! SOFTWARE THAT ASSISTS IN BOTH FUND RAISING EFFORTS AND FEDERAL/STATE REPORTING REQUIREMENTS

**WHY CAMPAIGN FINANCE SYSTEM?**

1. Proven seven year use on a mini computer . . . Converted to run on IBM PC (XT, AT) or compatibles using MS or PC DOS.
2. Supported by CPAs with extensive FEC knowledge and experience in handling three senatorial campaigns, one congressional campaign, one gubernatorial, and several political action committees.
3. Guaranteed satisfaction or money back.
4. Guaranteed updates to comply with regulations.
5. Ideal for both candidate and political action committees.
6. FEC approved all lines summary page.
7. California Reports.

**MAIN MENU**

1 = Load client
2 = Enter and edit contributor master
3 = Enter and edit vendor files
4 = Enter and edit cash receipts
5 = Enter and edit cash disbursements
6 = Occupation code file maintenance
7 = Display total pledged and paid
8 = Year end processing
9 = Word processing/direct mail Federal/California Reports
10 = CFS utilities

**REPORTS MENU**

1 = Contributor list — alpha
2 = Contributor master list
3 = Vendor master list
4 = Receipt transaction list
5 = Disbursement transaction list
6 = Mailing labels
7 = Pledges
8 = Itemized receipts
9 = Itemized disbursements
10 = Information request
11 = Contributions by state/county
12 = Occupation list
13 = Set printer control codes
14 = Thank you letter

**CALL COLLECT:**
**Thomas Karlsen, CPA**
1436 North 44th Street, Phoenix, Arizona 85008
602-231-9273 / 602-820-4236



LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

will help Democrats by deflecting conservative anger. "You can argue she's a plus because she's a lighting rod for all the hate that's out there," he said.

The optimists among Democrats believe the conservative campaign against Bird will boomerang. They cling to a pep talk they received from Pat Caddell, the nationally known Democratic pollster who is working for Bird's campaign. His argument is that anti-Bird sentiment has peaked.

"The opposition has all they're going to get, and the fight now is to convert people," predicted Assemblyman Tom Bates, a liberal Democrat from Berkeley. "It's going to be an incredible debate about the separation of power and the attack on the Court by the right wing. Rather than being a liability, I think as election year gets closer it's going to actually turn out to be an asset to Democrats. The turnout will be better, and the Democrats will tend to be more loyal."

One prominent Democrat said that Bird could help the Democrats piece back together their old-style coalition. Bird could inspire feminists and liberals to vote in huge numbers, while Supreme Court Justice Cruz Reynoso brings out Hispanic voters and Los Angeles Mayor Tom Bradley attracts blacks with his expected candidacy for governor.

Voters may fear "a lot of little Jerry Falwells on the Court," said Democratic Assemblyman Tom Hayden of San Monica, referring to the fundamentalist head of Moral Majority.

"Clearly, people don't want justices to bend to the political wind," said Assemblyman Davis.

Bird's conservative opponents have struggled to muffle some of the bravado of their initial efforts. At a state Republican convention in January, the halls were decked with anti-Bird slogans and there was even a stuffed turkey nicknamed "Rosie." But Deukmejian and some other leading Republicans warned their fellow conservatives that such a smart-alecky approach toward the state's highest court could backfire.

At the next state Republican meeting in September, all of the anti-Bird signs and flippant remarks had vanished. "We don't need the gimmicks," said Mike Antonovich, the state Republican chairman. "That's not going to defeat Rose Bird. The issues are going to defeat her. We are going to be debating the merits and not some cute slogan."

The inescapable partisan implications of the Bird campaign are vividly illustrated in three of the budding statewide campaigns — for governor, senator and lieutenant governor.

In the governor's race, incumbent Deukmejian's anti-Bird sentiments are abundantly clear. But Deukmejian must not appear overzealous to oust Bird and the other liberal members of the Court. That would only give credence to the charge that conservatives are engaged in a "Court-packing scheme" that would allow Deukmejian to hand-pick his own, dogmatically conservative Court.

At the same time, Deukmejian's aides chide Bradley, the likely Democratic candidate for governor, for refusing to take a stand on Bird. "You can't go around the state accusing the governor of inept leadership and not take a position on that one," taunted one Deukmejian supporter.

In 1978 Bradley was a co-chairman of a committee that backed retention of Bird and the other Supreme Court justices on that year's ballot. But Bradley also has been increasingly outspoken lately in support of the death penalty.

Tom Houston, Bradley's top deputy, insists the mayor "always has been" a proponent of capital punishment but recently "hardened his position" and now feels, "Let's get cracking."

In the 1982 campaign for governor, Deukmejian chided opponent Bradley for vagueness and "flip-flopping" on the death penalty. At that time, Bradley said he supported "the death penalty as it applies to people who kill law enforcement officers."

In the U.S. Senate race, some of the Republican con-

ROSE BIRD

tenders compete in demonstrating which one is most emphatic in denouncing Bird. State Senator Ed Davis of Chatsworth, for example, not only heads one of the committees seeking to oust Bird but also is co-sponsor of a proposed ballot initiative for next year that would toughen death penalty provisions.

Davis calls incumbent Democratic Senator Alan Cranston "a political creampuff" for refusing to take a stand on Bird. Cranston, who opposes capital punishment, says he does not want to take a position on Bird because "there should be a separation of partisan and non-partisan races."

But Cranston has gone out of his way lately to assure voters that he believes soft judges are "one of the causes" of crime. "We need swifter justice most of all, and we do need firmer justice," Cranston said.

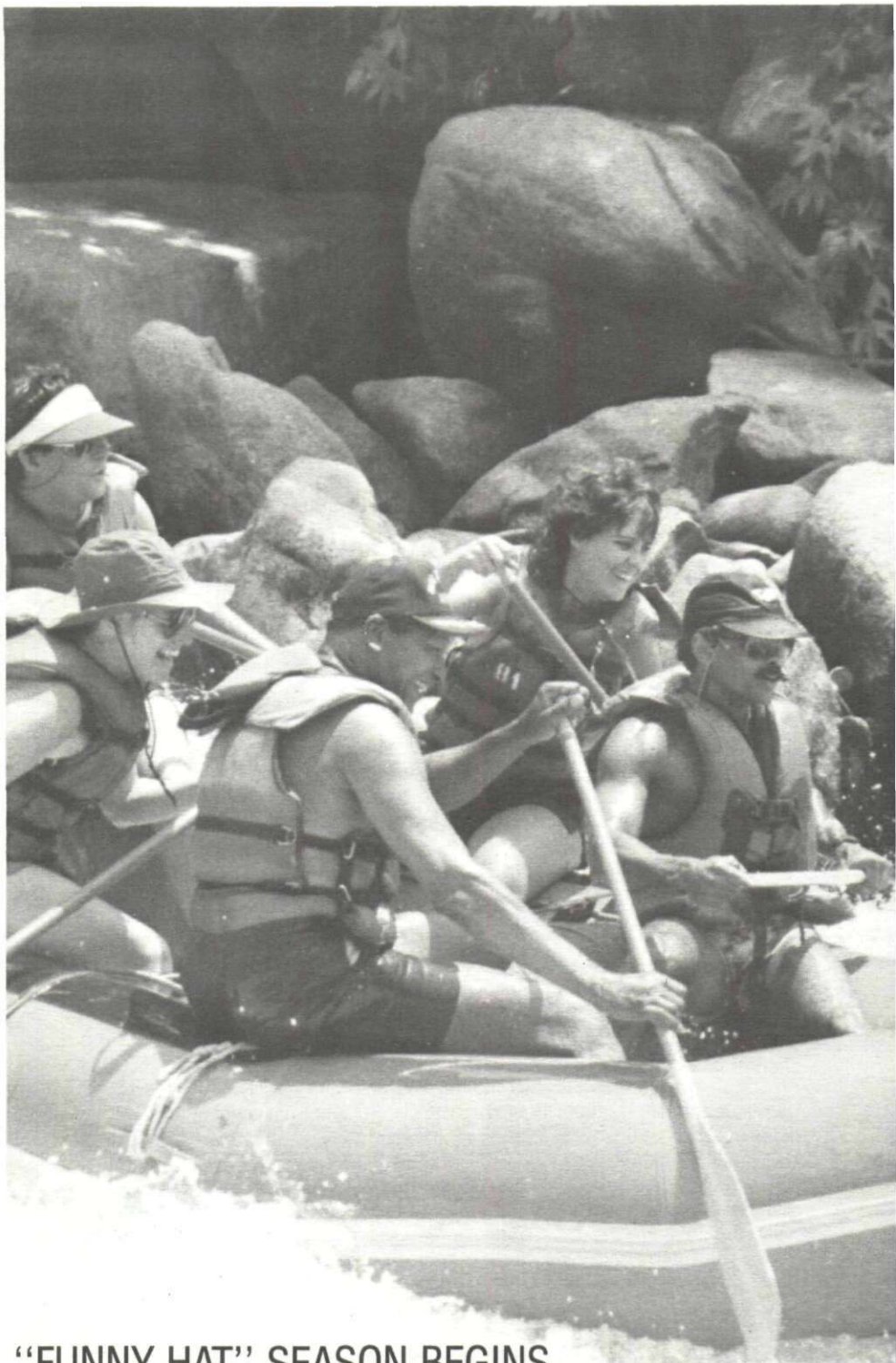
Cranston has publicly expressed his discomfort that Caddell is working both for him and for Bird. "It mixes the races together to some degree in people's minds, and I'm not overjoyed with that," he said.

In the lieutenant governor's race, the Republican mood was indicated when Assemblyman Don Sebastiani of Sonoma announced his candidacy. Sebastiani tore into incumbent Democratic Lieutenant Governor Leo McCarthy as "one of the principal supporters" of Bird and as a "born-again" supporter of the death penalty.

McCarthy has vehemently denied that election-year politics played any role in his recent announcement that he now supports the death penalty after opposing it throughout his career. Aides deny McCarthy is playing an active role in the pro-Bird campaign, although he supports her reconfirmation, and say he may even spell out cases in which he disagrees with the Bird Court.

Whatever the eventual fate of Rose Bird and the eventual effects of her predicament on partisan politics, the early trend is clear: Republicans are attempting to exploit her perceived unpopularity in their campaigns. Democrats are trying to steer clear of the explosive issue. And everybody piously insists the matter is too important for partisan politics.


LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED



## "FUNNY HAT" SEASON BEGINS

# Bradley, Deukmejian gear up for Round Two

**By RICHARD BERGHOLZ**

More than 7.5 million Californians voted in the governor's race in 1982, and if only 46,673 of them had switched from George Deukmejian to Tom Bradley, the former Republican attorney general probably would have a Long Beach private law practice now and the Democratic mayor of Los Angeles would be sitting in the "corner office" in Sacramento.

That it was so close made the defeat all the more agonizing for Bradley. If Bradley agonized, Deukmejian had to concede that he hardly came into office with a mandate. Almost from the day the vote-counting ended, both men have been thinking about "the next time." It now seems almost certain each will get through the party primaries next year without major opposition, and we'll have Round Two of the George-and-Tom battle.

For a while, it looked as though state Senator John Garamendi of Walnut Grove would make a second effort to deny Bradley the Democratic nomination. But after lengthy study of his chances the senator dropped out, saying his advisers concluded he could only win by waging a strong negative campaign against Bradley — some wondered if that meant raising the racial issue against the 67-year-old black mayor — and he wasn't about to do that. Garamendi ran a clean, affirmative campaign in 1982, and Bradley won in a breeze.

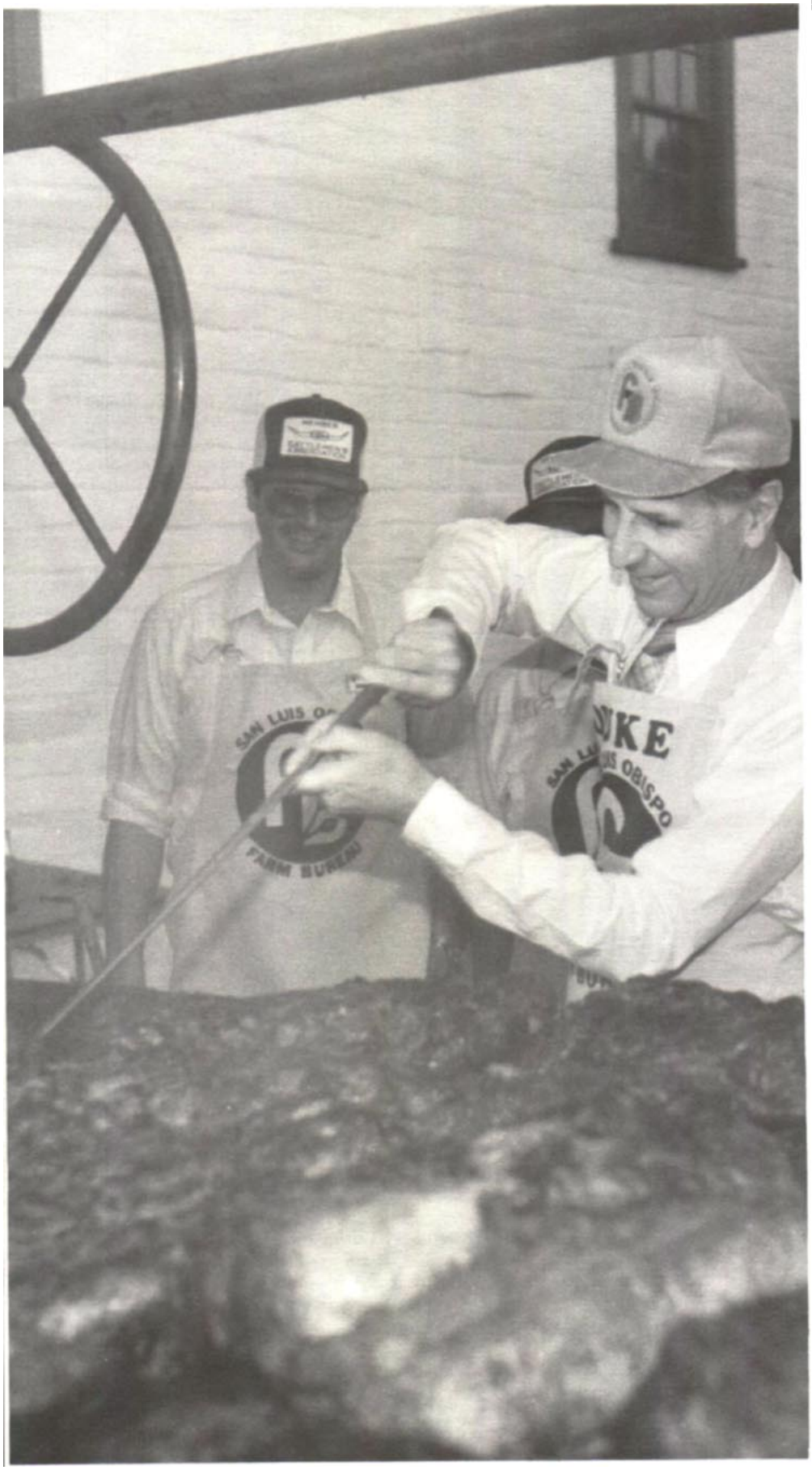
For Deukmejian, getting through a primary without a bitter fight will be a pleasant change. Every time he has run for statewide office — for attorney general in 1978 and for governor against then-Lieutenant Governor Mike Curb in 1982 — Deukmejian has had to spend just about everything just to get into the finals.

But sitting governors are supposed to have free runs in their own party pri-

*Richard Bergholz is a freelance writer in Los Angeles and long-time political writer for* The Los Angeles Times.



LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED



maries. The last time a governor was denied renomination was in 1958, and it wasn't the voters who made the decision. GOP power brokers decided they wanted then-U.S. Senator William F. Knowland in the governor's chair, so they forced Republican incumbent Goodwin J. Knight to get out of the way and run instead for the U.S. Senate. Both Knight and Knowland subsequently lost. The last time the voters denied an incumbent governor a second term was 1942 when Democrat Culbert L. Olson lost to Republican Earl Warren.

In a Deukmejian-Bradley rematch, most observers believe that, although Bradley came oh-so-close, Deukmejian has to be the clear favorite.

For one thing, the governor has managed to get through his first three years

**Campaign 86**

without committing a crippling political mistake. When he took office the state was in terrible shape fiscally. Red ink was accumulating, the state was on the verge of being unable to pay its bills and California's bond rating suffered in the markets.

When a wide range of economists argued that the only solution was to raise taxes immediately, Deukmejian dug in his heels, refused to accept a major, general tax increase (although did approve "loophole closings" that boosted state revenues by nearly $900 million) and finally forced the Legislature to accept his judgment. The economy then turned up much faster than many expected, the state got back into the black and the governor now has built up a "rainy day fund" exceeding $1 billion. Deukmejian intends to remind voters of this time after time.

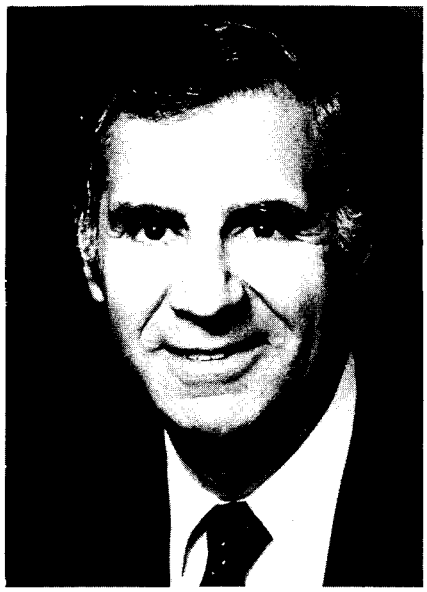
### Keeping friends happy

For another thing, the governor has managed to keep his conservative friends reasonably happy through the policies he has espoused, through the kind of judicial appointments he has



LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

TOM BRADLEY



GEORGE DEUKMEJIAN

## 1982 Gubernatorial Results

| | |
|---|---|
| **Deukmejian (R)** | **3,773,713 (49%)** |
| **Bradley (D)** | **3,721,418 (48%)** |

made and through the use of his power to veto measures which violate his conservative beliefs.

And the governor, as almost every governor before him, has enormous power to command campaign contributions. By the end of this year he expects to have $3 million in the bank, drawing interest, ready for the campaign. And there will be much more available to him as the need arises.

So everything looks good for Deukmejian. "The only way he can lose is if he makes a big mistake," says Stuart K. Spencer, a Newport Beach campaign consultant long active in GOP campaigns. "It can turn out to be a fairly close race, but not as close as the last time."

Public polls have shown thus far that Bradley is running six points or more ahead of Deukmejian, but the governor's people say they are not impressed. Almost everyone — certainly the polling fraternity — concedes that surveys taken this early are relatively meaningless because voters haven't focused their attention on the governor's race and thus the findings are more a reflection of party registration, popularity and name identification than a significant indication of how people might vote a year from now.

Why, then, does Bradley want another crack at Deukmejian?

There are several reasons. And unlike Deukmejian, who declined to be interviewed, Bradley was quite willing to talk about them.

"My whole life, whether in athletics or politics, has been spent coming back, making a second run at something, trying to succeed the second time around," says the former UCLA quartermiler, former police officer, former city councilman. "So, obviously, there's a drive, an energy there that pushes and prods and won't let a guy like me say, 'Okay, I lost, so I give up.' "

Another reason for a Bradley re-run: He had a couple of things facing him in 1982 that he doesn't expect in 1986.

### Gun Control and Jerry Brown

One was the gun-control initiative (Proposition 15), which he favored and which Deukmejian opposed. It brought out many conservative voters, particularly Democrats and independents, who often don't vote. Deukmejian killed Bradley with this group.

Also, then-Governor Jerry Brown was on the 1982 ballot running for U.S. senator, and all the pollsters reported Brown was such a controversial figure that he tended to drag down other Democrats on the ticket. All Bradley will say now is that "some people have told me that (about Brown being a drag on the ticket), and I can't argue with that."

Further, Bradley contends that several things have happened to him since the 1982 defeat that may boost his chances. One, he got a lot of exposure, most of it favorable, from his role as host mayor at the 1984 Olympic Games. And in his campaign next year he intends to use that exposure to re-emphasize his ability to work with the private sector. Second, he won a smashing victory in his bid for a fourth term as mayor this year. He views this as a restatement of his strength with his political base.

Gun control may have been one of the things that beat him in 1982 — when you lose by such a razor-thin margin almost anything can be blamed — and it won't be around this time. But there are those who say the bid of state Supreme Court Chief Justice Rose Elizabeth Bird to win a new term on next year's ballot may be a new "gun control" issue for Bradley because the vehemence of the campaign against her may bring out the same kind of voters who jumped to Deukmejian the last time.

Bradley says he's heard that, but "I don't know, I haven't looked at it."

Deukmejian says he expects Bradley to support Bird, because he has in the past. The mayor concedes his past support for Bird when her enemies sought to recall her. "But that's an entirely different matter," he said, adding that what he did in the past doesn't necessarily indicate how he feels about Bird now. Bradley says he hasn't read any controversial Court rulings in which she is involved and generally denies Bird will be a "troublesome" issue for him to handle. "I have my own issues and concerns," he says.

### The issues

No matter, the governor is sure to try to hang the Bird issue around Bradley's neck. But at the same time, Deukmejian's advisers already are predicting a positive, rather than a negative, campaign based on the governor's record. For example, they will have him talking about his fight to get the state solvent again without raising "general" taxes.

Bradley explodes with indignation at this claim because, he says, the fact is that Deukmejian has raised taxes by nearly $900 million as part of the package approved by the governor to solve the fiscal crisis inherited from Brown in



LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

1983. "There's no way he's going to hide from that," says Bradley.

Deukmejian already has signaled that he intends to make a major part of his reelection pitch on the issue of aid to education and his claim that "we have added $6 billion in new money and upgraded the standards." This, too, brings the normally placid Bradley into outrage.

"He (the governor) had to be brought kicking and screaming to the point where adequate funding was provided. It was the business community and the Legislature who dragged him into putting some of the state's surplus into education. And the bills to accomplish this were carried by Democrats, not by Republicans."

But bills don't become laws until the governor signs them or otherwise consents, and in the campaign next year, Deukmejian is sure to allocate adequate credit to himself, just as governors of both parties have done in the past.

In the last Deukmejian-Bradley fight, the Republican made welfare reform a major part of his package of promises. This year, a significant reform was enacted. In a political campaign almost everybody grabs for the credit, and 1986 will be no exception. Deukmejian's chief of staff, Steven Merksamer, says his boss will list "workfare" (intended to move able-bodied workers off the welfare rolls and into jobs) as a milestone achievement for the governor, while acknowledging that it took teamwork with Democratic liberals to reach the goal.

Does Bradley also intend to claim some credit? He apparently does, because he says he made phone calls and sent letters to legislators urging enactment of the reform program.

When reminded that the incumbent governor is going to claim triumphs of leadership, Bradley snorts: "What leadership? He didn't do anything. He was lucky with the economy heating up so the state got far more revenue than anybody expected. He had nothing to do with it."

### Race

One thing that hasn't changed from the 1982 campaign is the race issue. With the outcome decided by a relative handful of votes, would Bradley have won if his skin had been white?

Three weeks before the end of the last campaign and with Deukmejian trailing in the polls, his campaign manager brought the so-called "hidden racial issue" into the open when he told reporters that if Deukmejian were only 5 percentage points down to Bradley in last-minute polls, the Republican would win because of anti-black bias among voters. Bradley reacted with indignation, and Deukmejian disavowed and fired his campaign manager.

But was it true?

Since then, efforts have been made to determine if the bias is detectable and measurable. One survey showed that about 500,000 Democrats and independents who voted for Deukmejian did so not so much because they were for him but because they were against Bradley. A significant number of these voters also said they felt government was doing too much for blacks and other minorities.

Many campaign experts agree with Deukmejian's former campaign manager that an anti-black bias exists among voters. But they also believe bigotry is very hard to factor into public-opinion polls. Certainly Deukmejian has shown no intention of raising the racial issue. In fact, he denounced the Reverend Louis Farrakhan before the controversial black Muslim leader made an anti-Semitic speech in Los Angeles recently — and chided Bradley because he refused to do the same. The mayor later criticized Farrakhan, but was so late in arriving at this position that many Jews were offended and threatened to walk away from Bradley's next campaign.

Bradley clearly doesn't like to talk very much about the color of his skin and how it affects the governor's race. "I have always said that I don't consider it significant. But I would certainly never deny that some people will vote strictly on the basis of race."

And so Deukmejian and Bradley are headed for a rematch. Both will spend some time sniping at each other, raiding each other's list of past supporters and gearing up for a slam-bang campaign that really won't start until late summer. Deukmejian is getting a new campaign management team together, and Bradley has had the vaguely-named Committee for California's Future scouting around for that ephemeral groundswell that will convince him to run again. It is supposed to be an independent committee and it relies heavily on many of the young professionals who spear-headed the Gary Hart presidential campaign in California last year.

Looking down the road a bit, if he wins a second term Deukmejian might be tapped by the GOP for a vice-presidential nomination or a cabinet post. Bradley, who will be 68 when he runs again, probably would be considered too old for a national post under the Democrats. But after the Ronald Reagan record of beating the age bias, who can say what the age cut-off in the political world will be?

Advertisement

NIELSEN, HODGSON, PARRINELLO & MUELLER

**A law firm with offices located in Sacramento and San Francisco engaged in Government, Political, Association, Administrative Law, Business Law, Litigation and Real Estate practice, including lobbying limited to administrative agencies and the Executive Branch of State Government, is seeking an associate attorney with 0-3 years experience to practice in the Sacramento office. A background in the firm's areas of practice is desirable.**

**Please submit resumes and background to Charles H. Bell, Jr. at Nielsen, Hodgson, Parrinello & Mueller, 1030 15th Street, Suite 250, Sacramento, CA 95814. No telephone inquiries, please.**



LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

# BILLTRAK

A Service of Capitol Information Management*

**BILLTRAK** is an on-line electronic data base service that provides you with the ability to monitor bills in the California Legislature from your office...

## FULL TEXT OF ALL BILLS
## VOTING RECORDS
## CAMPAIGN CONTRIBUTIONS
## SEARCH BY KEY WORD, CODES

- No Waiting — immediate response
- Accurate
- Flexible report formats
- Compatible with your equipment
- Affordable

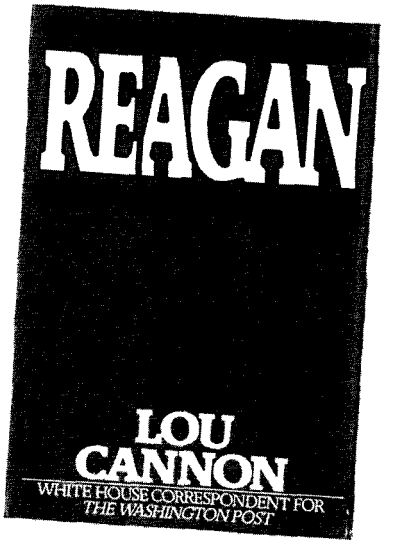
## CALL FOR A DEMONSTRATION

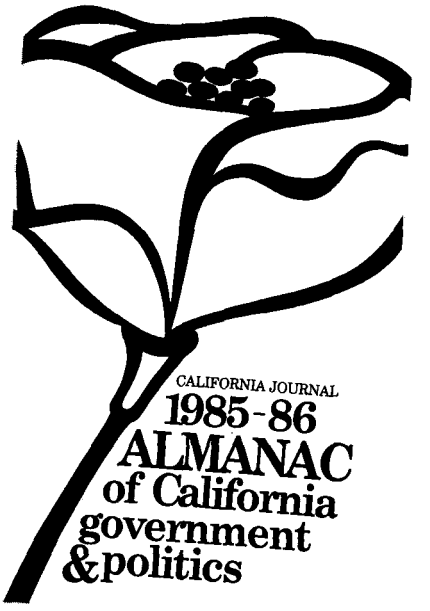
For More Information, Please Contact:
Diana Rains or Mark Krausse
Capitol Information Management
(916) 636-4150

*a division of Electronic Data Systems

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

# Low-cost Holiday gifts from California Journal




*Informative and entertaining books about California politics and history are always available from the California Journal Press, often at discount prices. The current selection:*

**Reporting: An Inside View,** *by Lou Cannon.* How many of us know what really goes on behind the scenes in the complex process that determines what is and what isn't fit to print? Anyone interested in the workings of the press during the post-Watergate era will find *Reporting: An Inside View* fascinating reading. 1977. 6 x 9, 308 pages. $9.95 cloth, $4.95 paper.

**California Government and Politics Annual, 1985-86.** Published every year, the *Annual* consists of reprints of *California Journal* articles covering the various branches of government, elections, political reform, lobbying, taxation, local government, the environment, and much more. The book also includes a "Quick Guide to California Government and Politics." 8½ x 11, 128 pages. $5.95 paper.

**Sacramento Political Vistors Guide.** A 20-page, four-color guide for persons visiting the capital for the purpose of making their voices heard in the political process. Contains maps of the downtown area and the Capitol building, information on the legislative process, where to wine and dine, places to stay and how to get around. 8½ x 11, 1985. $1.95 ea.; 2-49 copies, 99¢ ea.; 50-99 copies, 74¢ ea.; 100 or more, 49¢ ea.

**California Public Administration, 2nd Ed.,** *by T. Anthony Quinn and Ed Salzman.* This guide to the state's bureaucracy contains sections on the impact of Proposition 13, top executives, regulatory agencies, Legislature, judicial system, education and the bureaucracy. The book also contains diagrams showing the legislative process, the court system and the state's administrative agencies. 1982, 8½ x 11, 112 pages. $4.95 paper.

**The California Political Action Handbook, Second Edition.** This guide to the political game in Sacramento answers these questions: How can an organization or an individual win in Sacramento? What tactics should be applied when legislative emergencies arise? How can the bureaucracy be penetrated? How can elections be won? Price for the 32-page 5½ x 8½ handbook: $2.50 each; or 2-10 copies, $1.95 ea.; 11-49 copies, $1.50 ea.; 50-99 copies, 95¢ ea.; 100 or more, 80¢ ea.

**Cartoon History of California Politics,** *by Ed Salzman and Ann Leigh Brown.* An entertaining history of the state as drawn by political cartoonists from Nast to Conrad. This handsomely bound book contains 119 cartoons, most of them covering a full-page. An ideal gift for yourself or a friend. 1978, 8 x 8, 156 pages, paperback. New discount price: $3.95.

**Reagan,** *by Lou Cannon,* the definitive biography of President Ronald Reagan. "**Reagan** is a complete picture of the man and those around him, a fair but unsparing portrait of Reagan good and Reagan bad. It is a book which historians will treasure, written by a superb journalist who has been watching Reagan for years."

— John Chancellor

The 464-page hardcover book, published by Putnam in 1982, lists at $18.95. It is available to **Journal** readers at $10.95.

**Almanac of State Government and Politics, 1985-86.** Fourth edition. Contains 193 photographs and biographies of the state's leaders, maps, historical information on all branches of state government, election statistics and population information, and much more. 200 pages. $5.95 paper.

**Binder:** How about a binder to collect and preserve your *Journals?* A handsome gold-stamped naugahyde binder to hold one year's *Journals* is $7.95 (1970-85 dates available or no date).

**Index:** A yearly index to the *California Journal* for fast and easy research turns your magazine into a state government reference library. $2.95 per year.

---

**Please add 6% sales tax to all orders. Use the handy insert card to place orders. Or just write your own order and send it with payment (Visa and MasterCard numbers accepted) to California Journal Press, 1714 Capitol Ave., Sacramento 95814.**

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

## International trade

Your article "Steaming toward prosperity?" (*CJ*, November 1985) describes well the problems that plague legislative attempts to improve California's trade picture. The conclusion — "There may not be very much California can do on its own for its exporters and international business interests" — is wrong, however. By definition, international trade from or to California includes a measure of control regulation and process outside the effective reach of state government. There are major components though that can be and, in some cases are, effectively addressed. AB1423 provides funding for market-development activities for California agricultural commodities, and AB2543 provides curriculum and staff development in international studies for elementary and secondary schools. The state could also collect actual data on California-produced exports and provide assistance for small and medium-sized businesses to enter export markets. There are even examples. The San Diego World Trade Association, together with other local organizations, provides effective support for area exporters.

ARTHUR F. O'NEAL
Export Trade Specialist
Auburn

## Off-shore oil

The "Perspective from Washington" column in your November issue, while generally informative, contained a serious factual error in reporting my position on the issue of Outer Continental Shelf leasing in California. The article refers to a letter sent to President Reagan by 11 members of Congress protesting the compromise between some congressmen and Secretary of the Interior Donald Hodel on this most complex and controversial issue. The article notes that I was one of the leaders of this effort. Nothing could be further from the truth. The letter in question did not include my signature or my support in any way. In point of fact, I was part of a group which earlier in the summer pressed hard for an extension of the moratorium to provide adequate time for development of a workable OCS agreement. The coastal region of my own district, rated by the Interior Department as the second most scenic coastal region in California, falls into the category of areas worth preserving. While the initial compromise did not provide such protection, the latest language does, and I am in full support of it at this time. I am convinced that the present offshore petroleum technology cannot ensure protection of our coast and that the risks involved are too great when balanced against the relatively limited offshore resource in question. At some point, our nation will need all of its resources, but that time is not yet at hand. Available supplies situated in highly sensitive areas should be reserved until all others have been exhausted.

ROBERT E. BADHAM
Member of Congress
40th Congressional District

*(Editor's note: Congressman Badham is correct. The* California Journal *apologizes for the mistake.)*

*Advertisement*

NOSSAMAN, GUTHNER, KNOX & ELLIOTT, A LAW FIRM, ANNOUNCES THE ACQUISITION OF JLA ADVOCATES, A GOVERNMENT RELATIONS FIRM.

**San Francisco**
Third Floor
100 The Embarcadero
San Francisco, CA 94105-1295
415 . 543-2700

**Los Angeles**
Thirty-First Floor
445 South Figueroa Street
Los Angeles, CA 90071-1635
213 . 612-7800

**Sacramento**
1010 Eleventh Street
Suite 300
Sacramento, CA 95814
916 . 442-0238

**Orange County**
Suite 1630
695 Town Center Drive
Costa Mesa, CA 92626-1981
714 . 545-3270

**Washington, D.C.**
Sixth Floor
1140 19th Street, N.W.
Washington, D.C. 20036-6699
202 . 223-9100

JLA ADVOCATES



LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

# Justice for lawyers

## Does the State Bar protect its own at public expense?

By K. CONNIE KANG

California's lawyer discipline system, once considered the envy of the entire nation, was praised by a prestigious American Bar Association panel during a nationwide study of attorney discipline 15 years ago. Today, the $9.5 million lawyer-policing machinery administered by the State Bar under the supervision of the state Supreme Court is viewed by many observers as an expensive failure — a cumbersome system bending over backwards to protect the rights of accused lawyers, often at the expense of the public.

"How on earth can they say they are protecting the public from bad lawyers when they allow someone who commits murder to practice law?" asks Assembly Minority Leader Patrick Nolan of Glendale, referring to a recent case in which the Bar recommended a 30-month suspension for a lawyer convicted of killing his wife. "How can they justify permitting an attorney who embezzles money from a client to practice law again?"

This year the system's shortcomings have been the subject of widespread public criticism and extraordinary attention in the state Capitol. Because the Legislature adjourned September 14th without enacting a routine bill authorizing the Bar to collect dues from its members, the issue is bound to generate heated debate when lawmakers return in January.

What appears to be at stake is nothing less than the State Bar's future as a disciplinary body.

*Continued on next page*

*K. Connie Kang is a reporter for the* San Francisco Examiner.



LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

"The future of the Bar is what we're talking about," says Assemblyman Elihu Harris, an Oakland Democrat and chairman of the Assembly Judiciary Committee, who has been critical of the Bar's admissions policies as well. Harris wants to know how the public interest is best served by the Bar's remaining an organization to which every lawyer practicing in California must belong as a dues-paying member.

An arm of the state Supreme Court, the State Bar was established by law in July 1927 to regulate the legal profession. But over the years its activities have increased, and some of these have not sat well in certain quarters of California's legal community.

The discipline issue is only one aspect of this over-all discontentment. But the issue seems to have focused latent resentment and animosity toward the Bar and the legal profession. Perhaps, news reports on the disciplinary process provided ammunition by confirming with facts and statistics what critics had long suspected: Lawyers get special treatment in California.

Major criticisms are that:

- The system is slow. It takes the Bar an average of more than three years to process a contested disciplinary case. Pending are more than 5000 unresolved complaints, some of them many years old.
- The system is secretive. Until September 16th, when rules were changed, the public couldn't even learn the names of attorneys against whom the Bar had filed formal charges. That kind of confidentiality allowed one prominent attorney to embezzle $300,000 even as the Bar was prosecuting him.
- The system is lenient. Lawyers guilty of theft and other crimes were allowed to return to practice after a relatively short time-out on the sidelines. Half of California attorneys who steal are suspended for three years or less. Disbarment is rare. In 1983 California disbarred 10 attorneys while New York, with 20,000 fewer lawyers, disbarred 65.

This was not the kind of record Bar leaders could defend with enthusiasm.

The Bar's troubles didn't develop overnight. The 5000-case backlog accumulated over the years as the state experienced a phenomenal growth in the number of attorneys — from 9500 in 1927 to the present 95,000. (Of this total, 87,000 are active members.) As the numbers grew, so did complaints. The rate is one complaint for every 10 lawyers.

At the same time, lawyer discipline has never been a top priority item for the Bar's governing body — certainly, not until this year. Concern about discipline was invoked only when the Bar went before the Legislature to get the dues bill approved. One year, a group of Bar prosecutors said that tactic bordered on "bait-and-switch." The policing function was treated by the governing body more as drudgery.

The turnover of the Bar board's membership is also a factor. A new president is elected every year, and a third of the 22-member governing body changes each year. Each administration has its own agenda. What is a key program one year is not the next.

### A new priority

The Bar's current president, David Heilbron of San Francisco, considers discipline "priority one." He has repeatedly said that the Bar is committed to doing everything possible to correct the problems. The consensus of long-time Bar observers is that the commitment may not be enough. But if anybody can do it, it would be Heilbron. The Harvard- and Oxford-educated attorney has an excellent reputation as a lawyer, a skillful negotiator and a man who gets work done.

The short-term result of the unprecedented public airing of the discipline system has been a series of reforms within the Bar, and suggestions for more from the Legislature. But the long-term effect could be that the Bar will never again enjoy the kind of independence it has had in the past. And the relationship between the Bar and the Legislature may never be the same. From now on, the Legislature will probably want to keep the Bar on a shorter leash, using the dues bill as an excuse.

Democratic Assemblyman Lloyd Connelly of Sacramento, chairman of a Judiciary subcommittee on the administration of justice which has been probing the Bar, says so many lawmakers are concerned with the inadequacies of the existing system that either the Bar will have to produce significant reforms on its own — and quickly — or the Legislature will step in. "There is just no doubt about that," Connelly says.

The depth of misgivings about the Bar became apparent in the final hours of the 1985 legislative session when the Nolan-led Republican caucus blocked a final vote on the dues bill. That came as a surprise to Bar officials, who had been dealt a blow just five days earlier when the bill was being debated in a late session conference committee.

After criticizing the Bar's record and grilling Bar representatives, the committee turned the bill into a one-year measure, trimmed the increase from $40 to $35 (specifying $25 of it for discipline), and took an historic step by requiring the Bar to submit itself to the annual budgetary process like any other state agency. That was the first time the Legislature had ever ordered outside scrutiny of the Bar's budget.

### A "crisis"

The adjournment without passage of the bill created a "crisis" for the Bar. Bar leaders have been exploring options, such as trying for emergency legislation in January or continuing business as usual and sending out bills to its members anyway. In late October the Bar board asked the state Supreme Court to intervene and order the collection of increased dues.

Advertisement

. . . and enchantment is reborn

For the woman who wants more than the ordinary . . . this is the promise of

Wellesley

THE FASHION STORE

Open Evenings by Appointment
Complimentary Fashion Consulting

566 DOWNTOWN PLAZA (Inside South Mall)

448-5300



LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

All of the options have potential complications, however. Though San Leandro Democratic Senator Bill Lockyer, the sponsor of the ill-fated dues bill, has indicated a willingness to carry an urgency measure, getting the required two-thirds vote appeared unlikely, given the stance of key Assembly Republicans.

If the new bill should pass on a majority vote, it would not take effect until January 1987. How is the Bar to conduct its business in the meantime?

Billing members could be a problem, too. What if members refused to honor the bills or, worse, some of them chose to challenge the Bar in the courts?

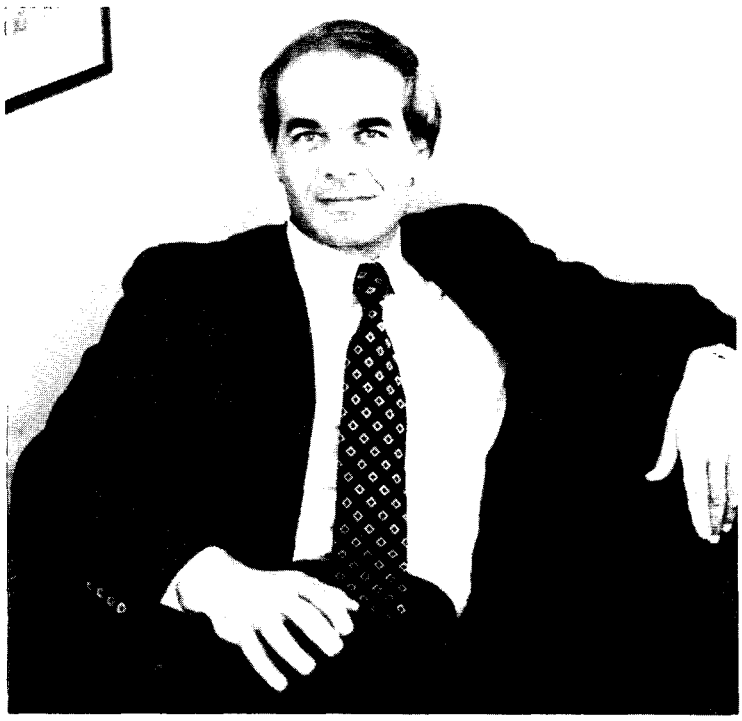
Also, there is no assurance that the Supreme Court will want to intervene and, even if it does, who can predict what the tribunal will do? Mindful of next year's Supreme Court election, the Court may not want yet another controversy in its lap.

Bar leaders, meanwhile, have stepped up lobbying efforts by soliciting local Bar representatives to contact their legislators.

The failure of the dues bill also has had other implications. It has fostered the impression that the Bar is now vulnerable, and that this may be the right time to move to make drastic changes.

It is no secret that some of the Bar's strongest critics have been lawyers, such as Nolan, who believe the organization reflects the view of only a small group. "The Bar doesn't speak for a large group of attorneys," Nolan says. "Many of us were saying it for years, and I was finally in a position to force accountability on the Bar."

Nor has Nolan forgiven the Bar's denouncement of Republican Pete Wilson for criticizing the state Supreme Court during his 1982 campaign for the U.S. Senate against Democrat Jerry Brown.



DAVID HEILBRON

Bar leaders have met with Nolan to try to persuade him, but he hasn't budged. He wants the Bar to become a voluntary trade association, with discipline handled by an independent, outside agency. "I don't see any reason why lawyers

*Advertisement*

**UNIVERSITY OF CALIFORNIA, DAVIS**
**GRADUATE SCHOOL OF ADMINISTRATION**

Prepares dynamic individuals for high-level management careers in the private and public sectors.

Curriculum emphasizes problem solving and decision making in the areas of—

- General Management
- Information Systems Management
- Agricultural Management
- Management Science
- Finance and Accounting
- Science and Engineering Management
- Environmental and Natural Resource Management

The program is designed and delivered by an esteemed faculty of internationally recognized scholars and professionals.

Office of the Dean
362 Voorhies Hall
Davis, CA 95616

Graduate School of Administration
University of California, Davis
(916) 752-7362



LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ELIHU HARRIS

BILL LOCKYER

PATRICK NOLAN

LLOYD CONNELLY

should be treated differently from other professionals," he says, noting that all the other professions in California are regulated by the state.

### Task force

That is also the position of a task force assembled by state Senator Robert Presley, a Riverside Democrat. A majority of the 14-member panel, composed of legal scholars, practicing attorneys and interested citizens, have urged the Assembly Subcommittee on the Administration of Justice, to take discipline away from the Bar.

The majority's position is that the Bar is incapable of regulating itself because of a built-in conflict in its dual role as watchdog and trade association which promotes lawyers' interests.

"There is no convincing reason why we should accept a disciplinary body for lawyers that is two-thirds composed of persons from that profession," Professor Stephen Bundy, of Boalt Hall School of Law at UC-Berkeley, told the September 30th joint legislative hearing on Bar discipline in San Diego. "If we were starting over, we would never do it that way."

The best argument for the change, Bundy said, was simply the "history of poor performance." "They just haven't done the job."

But, Bar President Heilbron countered, creating a new agency would only add to the problem. "We're geared up to do it, and no one else is," he said. If a new body were created to take over the job, "you would have a problem that would make the one now look like a molehill," he told the session.

Heilbron promised lawmakers that the Bar would clear up the backlog of complaints within two years. He also said that new procedures will make the system more responsive to the public by enabling the Bar to act more quickly and mete out tougher punishment. "That's not an idle promise," he said. "I mean it; we mean it."

He said, "The mind-set of the board is that penalties ought to fit the crime and they ought to be stern."

The problem has been on-going," Garden Grove Democrat Richard Robinson, the senior member of the Assembly Judiciary Committee, told Heilbron. "There have been continual representations from the Bar that 'we're going to clear up our act.'"

"I'm not sure, given that pattern, (that) something is really going to happen," Connelly agreed.

### Under the microscope

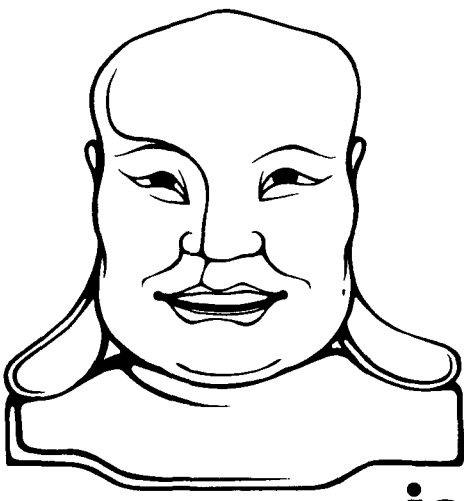
Heilbron invited them to "watch us." A lot of people will be watching the Bar in coming weeks and months.

Negative publicity has kept Bar officials hopping all year. External pressures have had the effect of pushing the Bar to move at a quicker pace than is normal for that deliberative body. For instance, some proposals that for years have been kicking around the Bar for study and discussion are being approved.

One significant, recently-approved reform was the "sunshine" rule, which lifted 57 years of secrecy. As of September 16th, the Bar began disclosing the names of attorneys accused of misconduct and subject to formal disciplinary proceedings. Former Bar Governor Philip Schafer of Crescent City previously had tried to do the same thing but without success.

The Bar also on its own adopted a plan to drastically change the way complaints are handled by creating a new office of

*Advertisement*



FRANK FAT'S

806 L STREET
SACRAMENTO, CALIFORNIA
(916) 442-7092

Lunch—Monday through Friday
Dinner—Nightly, including Sundays



LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

investigation, headed by a non-lawyer.

Come January 1st, more changes are on the way. An 18-point reform package, designed to close procedural loopholes, is expected to eliminate delaying tactics often employed by accused attorneys. New procedures will permit the Bar to stop an attorney from practicing law while a disciplinary investigation is under way if the Bar finds that the lawyer's conduct poses "imminent threat of harm to the public," and allow prompt disbarment of an attorney convicted of a felony if the crime occurred in his law practice or victimized a client.

There is also a long list of reforms suggested by the Assembly Subcommittee on the Administration of Justice, including proposals to:

- create a mandatory malpractice insurance fund to compensate clients who lose money through attorney negligence or incompetence;
- adopt a rule that would prohibit lawyers, as a condition of legal malpractice settlement, from including a clause saying that a client cannot file a complaint with the Bar;
- change a Bar policy to give its prosecutors authority to argue before the Supreme Court when an initial disciplinary recommendation is reduced in severity by the Bar's own review panel. (Now, an accused attorney can appeal an unfavorable Bar ruling to the Court, but a prosecutor cannot appeal a ruling unfavorable to the public);
- adopt a rule enabling legislators to get information on the status of a complaint against an attorney lodged by a constituent;
- provide sanctions against attorneys for running up clients' fees by such actions as filing frivolous court papers;
- enable the Bar to recover the cost of prosecuting attorneys found guilty of misconduct.

### Models and suggestions

While Bar officials pondered these legislative suggestions, members of Senator Presley's panel were working on models for an independent body to handle lawyer discipline. The next public hearing by the subcommittee will be in January. By then the committee is expected to have both the Bar's plans and those of the Presley task force.

Lockyer summed up the dilemma before lawmakers when he said: "There is a severe problem with discipline, and that must be corrected. As to whether the Bar can do it better than an independent state group, I don't know. I see advantages and disadvantages of both proposals. I am open-minded."

While support for the idea of an outside disciplinary board appears to be growing, observers don't expect that to happen next year or anytime soon. For one thing, no matter how much lawyers as a group are disliked, they constitute a powerful lobbying force. For another, the regulatory performance of state's array of professional licensing boards and agencies has not been exemplary.

Still, the call for the change is not likely to subside.

Stanford Law Professor Debra Rhode, a nationally-recognized authority on lawyer ethics and discipline, believes the current crisis provides California with an opportunity to design a system that would truly serve the public.

"That there may not be a perfect paradigm now shouldn't discourage us from making every effort toward moving toward an independent body," she adds.

"This is a golden opportunity to elevate the profession," agrees San Francisco public-interest attorney Robert Gnaizda of Public Advocates, Inc. "There is hardly a lawyer who wouldn't prefer to be associated with a profession that has the esteem and confidence of the public."

The challenge for the coming year will be to create a lawyer policing system that is just and fair both in public perception and in fact.

Advertisement

REACH THE LEADERS

Each month **54,000** Californians read *California Journal*. These **54,000** *California Journal* readers comprise the political and community leadership of our State.

Each year these **54,000** *California Journal* readers spend a lot of time in Sacramento shaping State and local policy and State and local budgets.

Each fiscal year, these **54,000** *California Journal* readers make decisions affecting over $100 billion dollars spent by State, County and local government on Transportation, Education, Health, Law Enforcement, Social Programs, Office Automation, Facility Construction, Forests, Banks, Energy, Libraries and Water.

*California Journal* offers marketing and strategic advertisers the unique opportunity to influence the people who decide how this money is spent and how these policies are set.

*California Journal*, where **54,000** Californians turn for political insight every month.

For further information on advertising in *California Journal* call Colt Stewart at (916) 442-2284.



LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

# YOU WON'T BELIEVE FRAMEWORK™ IS THE ONLY SOFTWARE YOU'LL EVER NEED.

## FOR STATE MICRO USERS

**From the creators of dBase® III**

FRAMEWORK™ by Ashton-Tate turns ideas and information into strategies and solutions—as fast as you can think.

FRAMEWORK is the only integrated personal productivity software for the IBM® PC and compatibles that gives you interrelated, simultaneous Word Processing, Graphics, Spreadsheets, Data Management and Telecommunications, plus an exclusive, instant outlining system. All controlled by a few simple English-language commands. And all available at the same time, on a single screen.

With FRAMEWORK you can:

- create letters & reports (Word Processing)
- prepare budgets and financial models (Spreadsheets)
- organize ideas as fast as you can think (Outlining)
- automatically produce charts & graphs (Graphics)
- analyze lists and records (Data Management)
- transfer data, tap into information networks, and communicate by electronic mail (Telecommunications)

FRAMEWORK does it all—all at the same time—all on a single screen—all with simple English commands!

Best of all, you don't have to learn FRAMEWORK. If you're a thinker, you already know how to use it.

In the complex world of government financial and data management, it seems hard to believe that FRAMEWORK by Ashton-Tate is the only software you'll ever need.

Until you use it.

**Now on GSA Schedule from Technology Services, Inc.**

TSI is a leading supplier of micro software, peripherals and training to the federal government. Our knowledgeable sales professionals will help you cut through red tape to get the right products fast at low GSA Schedule prices.

Call today for your copy of our GSA Schedules C and B for software, peripherals and add-ons.

ASHTON·TATE™

FRAMEWORK

Framework. For Thinkers.™

*The trademarks and registered trademarks shown are proprietary to their respective manufacturers.*

Technology Services, Inc.℠

"The Government Software Center"

Western Regional Office:
1401 21st Street, Suite 308, Sacramento, CA 95814

**916/443-6193**

**Eastern Regional Office: 703/354-8668 FTS Users: 202/354-8668**

Schedule B GSA Contract No. GS00K85AGS5150 Schedule C GSA Contract No. GS00K85AGS6059

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

# "B-1 BOB"

## Is Outspoken Congressman Robert Dornan the Great Right Hope?

By LARRY PETERSON

When U.S. Air Force pilot Robert Dornan left active duty in 1958 he told his mother, "I'm going to be a congressman, but first I'm going to be on TV." Since then Dornan, conservative crusader, showman, and political street fighter, has done both with what he has described as "a sense of urgency that the world is going to end next week."

On television, the one-time Los Angeles talk-show host has been an airwaves ace for the right, engaging liberals in verbal dogfights and attacking their rhetorical left wings. He also popularized those POW-MIA bracelets, widely worn in the 1970s to keep alive the memory of Americans held or missing in action in Vietnam. More recently, he's been on "Donahue" and "Crossfire."

In Congress the 52-year-old Republican, who represents western Orange County and Cerritos in Los Angeles County, has been a folk hero to conservatives but an anathema to the left. A fount of one-liners and stream-of-consciousness argument that sometimes gets away from him, Dornan has alienated many colleagues. But he also has ingratiated himself with a national constituency favoring a stronger military and a tougher stance against communism, earning for himself the nickname "B-1 Bob" for his advocacy of that bomber.

The blue-eyed, red-haired perpetual-motion machine is so hyperkinetic that even his brother, Don — though disagreeing — acknowledges the widespread perception that Dornan is "a violent whacko." Dornan himself sometimes seems to realize that he has become too hot a medium for his audience and apologizes for being so intense. "I'm not always like this," he adds. But, once wound up, he almost always is. He thrives on political combat and throws caution to the wind, even when he appears to know better.

During a news conference halfway through his 1984 campaign against Representative Jerry Patterson, Dornan said an aide got "a little carried away" in writing a press release criticizing the Santa Ana Democrat. Reporters had received a "sanitized version." But then Dornan's face lit up. "Why not have a little fun?" he asked, handing out the first draft. "Use whichever one you want," he added. The original called Patterson a "sneaky little dirtbag."

Following reapportionment, Dornan found himself deprived of the Los Angeles County coastal district he represented from 1977 to 1982. He ran for the U.S. Senate instead, but got only 8 percent of the primary vote. Dornan moved to Orange County last year and beat Patterson, a 10-year incumbent. It was the state's costliest and bitterest congressional campaign. Spending $1.1 million, Dornan attacked relentlessly, continually taunting Patterson to debate. When Patterson accepted such challenges, Dornan showed occasional flashes of humor. In one exchange, Patterson claimed Dornan failed to pay for congressional office furniture he kept, telling the audience, "Robert Dornan stole your furniture." Shot back Dornan: "No I didn't. It's still there. Go home and see." But, more often, Dornan slashed away at Patterson with a vengeance.

But bad debating manners were nothing new for Dornan, who once broke House etiquette by trying to cut off comments by House Speaker Thomas "Tip" O'Neill. In June, Dornan was forced to apologize for accusing liberal Democrats of speaking against defense spending "with mouths dripping with bile and spleen."

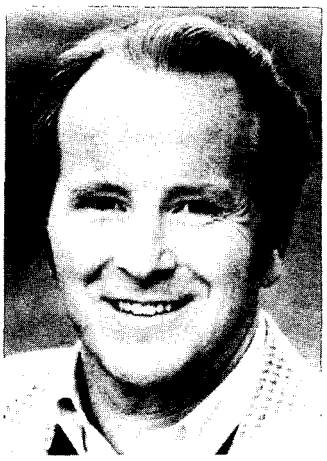
"I love mixing it up," he had said near the end of his 1984 campaign. "I thrive on all this stuff." Recently he won a TKO of sorts in a word bout with syndicated columnist Mike Royko, who called him a "war wimp" — a draft-dodger eager to send other men into battle. Royko recanted when his claim that Dornan got a student deferment before enlisting during the Korean War proved untrue. Dornan was an Air Force pilot for five years, although he did not fly combat missions.

But Dornan's "mixing it up" sometimes goes beyond words. In March he scuffled in the national Capitol with New York Democrat Thomas Downey, with whom the Californian has feuded for years and recently had called a "draft-dodging wimp." Brian Bennett, Dornan's chief of staff, made the in-

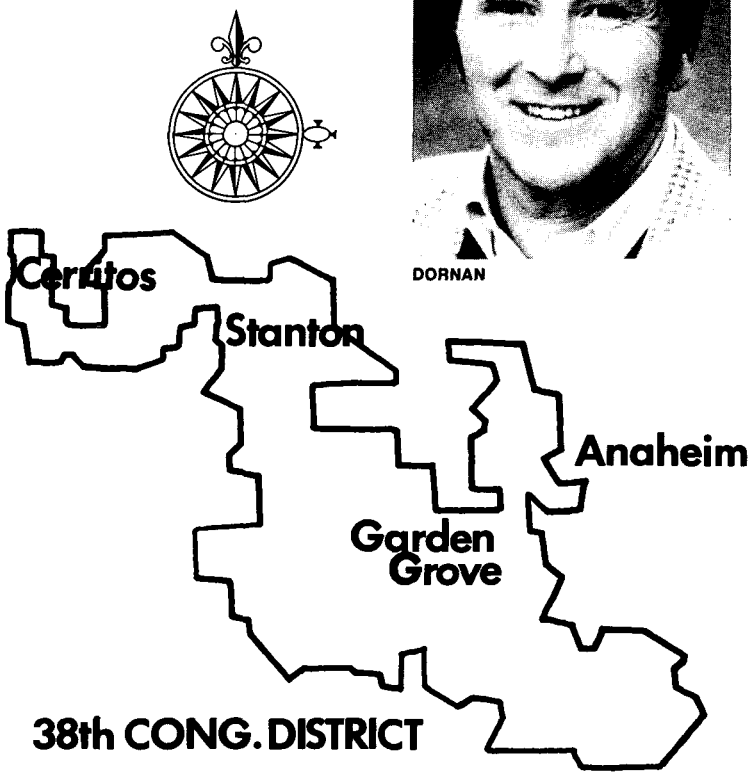
*Larry Peterson writes about politics for the* Orange County Register.



LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED



DORNAN




cident a standing joke by claiming his boss merely had straightened Downey's tie. Dornan, though claiming Downey grabbed him first, later conceded that he had seized Downey by the neck.

That wasn't the first time Dornan has gotten physical with opponents. In 1973 he tore a Viet Cong emblem off a student protester's shirt at an Orange County rally honoring former POW's. To wear the emblem so soon after the torture of American prisoners had been revealed, he said, was like wearing swastikas just after Jews were released from Nazi concentration camps following World War II. "I've taken 15 Viet Cong flags or emblems from these punks," he said. "I wish I'd taken a hundred."

That was Bob Dornan the political street fighter and conservative ideologue talking. But it also was Bob Dornan the showman who, after all, is the son of a Ziegfeld Follies showgirl and the nephew of the late Jack Haley, Tin Man in *The Wizard of Oz*. Though often considered a loose cannon, his every fight, his every political maneuver, seems chosen to make a dramatic point.

Within six weeks after becoming a congressman in 1977, for example, he made news when he unsuccessfully offered to trade himself for hostages held by the Hanafi Muslims in Washington, D.C. Months later, in a floor speech against abortion, he described in gruesome detail the Manson cult murders. He said Sharon Tate Polanski's murderess tried to perform a Caesarian operation on the actress to "take the living baby back to Charlie Manson." Then Dornan asked, "Are we any more intelligent than a drugged up, pathetic young killer?"

Not surprisingly, Dornan polarizes congressional colleagues. He has won praise from New York Republican Jack Kemp, a populist conservative and probable contender for the GOP presidential nomination in 1988. "There is not a tougher debater in the country," Kemp said. But Merced Democrat Tony Coelho says that, because of Dornan's abrasive style, "a lot of minds on are closed" among Democrats even before he gets up to speak. Coelho adds that Dornan's tendency to "turn off" Democratic members makes him assume a greater burden of proof and that the chances of his getting major measures passed are "remote."

Democrat George Brown of San Bernardino offers a different perspective. Brown, an avowed liberal, concedes that Dornan's demeanor hinders his dealings with colleagues. But, as Brown sees it, Dornan has engaged in a deliberate tradeoff of his ability to be a legislative insider for the opportunity to mobilize a national audience behind his issues. Despite their ideological differences, Brown says Dornan always treats him with respect. "Some of those people he has manhandled are not without sin in the way they have conducted themselves toward him," Brown added.

### Legislative agenda

Like most minority party members, Dornan has won passage of no major bills. He has secured approval of numerous amendments, including ones that prohibited government funding of abortions in the military and the lifting of a 10-year-old ban on aid to anti-communist rebels in Angola. After much initial fanfare, some of his other initiatives, such as a February package of bills to "roll back" communism, have gathered dust. Perhaps more important to his district, he has been unable to restore funding — as he had vowed to do in the first six months of 1985 — for the long-sought Santa Ana River flood-control project.

Dornan dismisses his critics in the House, saying they're jealous of his speaking talent and his access to national media. The flood-control project has been held up because of "partisan hardball" and how members feel about him is a "relatively small part of the picture," he said. Moreover, Dornan said he has been effective for his district through his willingness to "lean on" bureaucrats on behalf of constituents caught in federal red tape.

What of the future? Dornan, who unsuccessfully sought the GOP nomination to the U.S. Senate in 1982, has said he'd like to try again. Earlier this year, his aide Bennett, saying he was speaking only for himself, suggested that Dornan might be available for the 1986 Senate race. That trial balloon was quickly deflated.

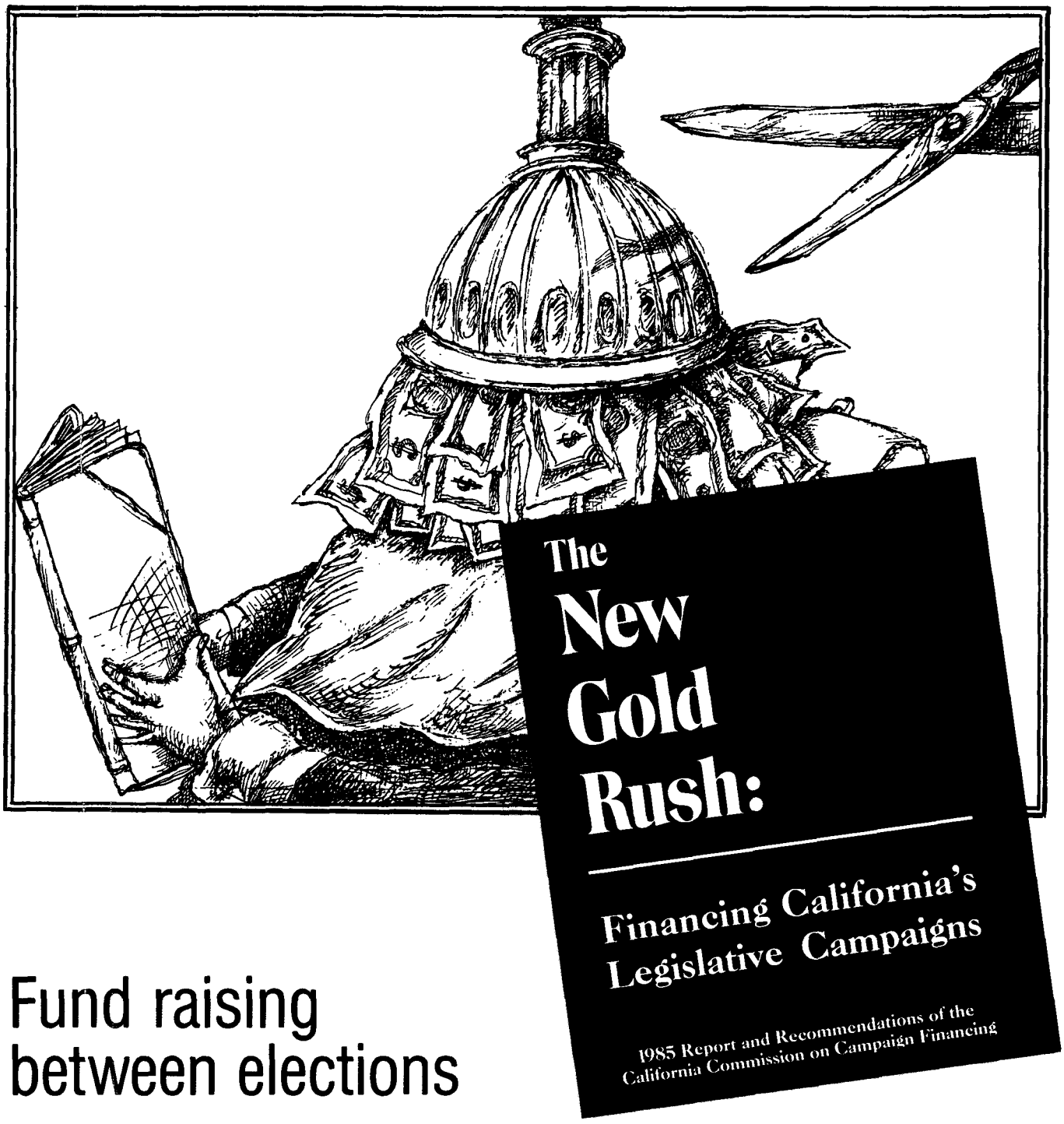
Dornan's house seat seems secure in 1986. To be sure, Patterson has talked about a rematch. But in 1984 he spent $700,000 trying to keep his job and probably would need at least $1 million to get it back against an incumbent. He probably can't get anywhere near that much from the incumbent-oriented, special-interest political-action committees that provided most of his 1984 funds.

So for now, count on the Great Right Hope to continue enjoying life on the Hill, like the time he talked with a reporter after his controversial remarks during a televised exchange in March with Democratic Representative Barney Frank of Massachusetts. Although Dornan, for years outspokenly pro-Israel and critical of Soviet persecution of Jews, may not have meant it that way, one of his loose-lipped utterances about the defense spending habits of "New York liberal Democrats" had struck Barney — and others — as anti-Semitic.

After a long explanation, Dornan, who often wears a military buckle given him on a trip to Israel, quit taking the flap seriously. "I suppose that after he called me anti-Semitic," he said, "I could have stood up, opened my coat, and showed off my Israel Defense belt buckle. But unless the cameras zoomed in real close, the viewers might have thought I was doing something else."



LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED




# Fund raising between elections

*Editor's note: On October 16, 1985, the California Commission on Campaign Financing issued a 353-page report entitled* "The New Gold Rush: Financing California's Legislative Campaigns." *The report reviews the current state of campaign financing in California and recommends several reforms. Among the reforms are spending limits for state legislative races, banning transfers of campaign money from one candidate to another, dollar limits on contributions, and limited public financing to candidates who agree to limit spending. The 21-member commission is privately funded and includes representatives from business, labor, agriculture and higher education. Among its members are Cornell Maier, chairman of the board of Kaiser Aluminum in Oakland; attorney Warren Christopher, head of the U.S. State Department team that negotiated freedom for Iranian-held hostages in 1981; Donald Kennedy, president of Stanford University; Susan W. Prager, dean of* UCLA *School of Law; and Robert Monagan, former Republican speaker of the California Assembly. (Monagan is also a member of the* California Journal *board of directors.)*

*Because* California Journal *considers this report an important public document, we are reprinting one of the more relevant chapters for the year 1985: "Off-year fund raising: California's secret campaign-finance problem."*

---

Why did the *average* member of the California Assembly raise $81,000 in private contributions during 1983, a year in which that member had no election, no opponent and no campaign?

Why do newly elected California legislators throw elaborate fund-raising dinners in Sacramento that can net them


LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

up to $50,000 in one evening, when they have just won their elections, have no campaign debts, have no foreseeable opponents and have 18 months before their next elections?

Why did one state senator schedule a $5000 per couple fund raiser only two months after being reelected to a four-year term when he had no election debts to pay off?

Why do the last two Fair Political Practices Commission (FPPC) chairmen — one a Republican and the other a Democrat — both agree that off-year fund raising must be limited or prohibited altogether?

Off-year fund raising — fund raising that occurs during those years when legislators are not up for reelection — is California's secret campaign-finance problem. It typically occurs outside of public scrutiny, yet its corrosive effects on the legislative and electoral processes are severe and rapidly worsening. This is apparent when off-year fund raising is contrasted with election-year fund raising.

Contributions during an election year are given to *candidates*. Contributors often support a candidate for "philisophical" reasons. Contributors give a candidate money with the understanding that it will be used to communicate the candidate's views to the public during an election campaign.

By contrast, contributions during the off year are given almost exclusively to *incumbents*. Because no campaign is pending, these contributions are typically intended to obtain access and influence for the contributor. As Lynn Montgomery, media director for the FPPC, said: "A lot of the off-year spending is to influence legislation rather than elections."

Contributors who have a specific interest to promote or defend before the Legislature make contributions to obtain a particular lawmaker's support — or at the minimum access to his or her ear. In exchange legislators receive money which gives them "insurance" against electoral competition in the following year. By accumulating large "war chests," legislators deter potential challengers from entering future races against them.

Advertisement

**So you think the country would be better off if you ran it?**

**Take Public Administration at USC.**

**Maybe you will!**

**USC**
**Sacramento Public Affairs Center**

- Masters, Doctoral, and Certificate programs with concentrations in public policy, personnel, finance, health services administration, intergovernmental management, and justice administration
- Intensive weekend classes

921 Eleventh Street, Suite 200
Sacramento, CA 95814
(916) 442-6911

### Growing importance

Fund raising by legislative officeholders in the off-election year has escalated dramatically — rising over 150 percent in the last six years. In 1977 the 120 incumbents raised $5.7 million; in 1983 legislative incumbents raised $14.3 million. In 1983, the 80 Assembly incumbents raised $9.7 million. The median Assembly member in 1983 raised $81,000. Contributions ranged from a high of $1,324,000 received by Democratic Speaker Willie Brown of San Francisco to a low of $21,000 raised by Republican Robert Frazee of Carlsbad (see box).

Democratic and Republican off-year fund raising patterns are surprisingly different. Democrats, the majority party, gathered substantially more off-year contributions than Republicans ($6 million to $3.7 million). But the median Democratic Assembly member raised $67,000, while the median Republican raised $101,000. A few Democrats (such as Speaker Brown, Majority Leader Mike Roos and Assistant Speaker pro Tempore Tom Bane) raised the bulk of all off-year contributions. Because the Democratic leadership is able to raise such large sums of money to transfer to other Democrats, most Democratic legislators may not feel it necessary to make extraordinary efforts to match their Republican counterparts.

These figures underscore the belief held by many legislators that it is far easier to raise off-year money than election-year campaign contributions. Legislators have much less competition for campaign money in the off year since most challengers have not yet made a decision to run for office. When less than half as many political figures are raising money, as is the case in the off year, contributors have additional resources to draw upon in making contributions.

In 1983, according to FPPC data, political-action committees and business entities contributed 76 percent of all off-year money in amounts of $100 or more. Individuals supplied 22 percent while political parties and transfers accounted for the remaining 2 percent.

### Dangerous relationships

*"The problem with off-year campaign money is that it has very little to do with public policy. It's access money. It's money given to influence legislation rather than money given to influence election outcomes."*

*— Walter Zelman, executive director, California Common Cause*

Contributions given in an off-election year have a major impact on legislation. Such contributions come predominantly from statewide organizations and interest groups with a strong presence in Sacramento, and from Sacramento lobbyists and PACs that transact daily business with legislators. In 1983, for example, incumbent legislators collected $14.3 million in off-year money — of which $10.3 million came from PACs and businesses. Since legislators can raise so much money in Sacramento, they have less incentive to approach their own constituents for funds. Off-year fund raising thus skews legislators' attention away from local issues and directs it toward special-interest groups.

It is common knowledge in the state Capitol that fund raisers are often held shortly before key votes affecting substantial economic interests. Lobbyists complain that fund raisers are blatantly timed to coincide with votes on particular issues, usually a week to 10 days before a key


LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

hearing. Because so much time is spent on off-year fund raising, less time is available for discussion of legislation.

A legislator raising funds might personally call a particular interest group appearing before his or her committee and ask for contributions prior to the committee hearing. No *quid pro quo* is specifically requested but lobbyists clearly understand that this is the case. As Walter Zelman of Common Cause has remarked, "It used to be the interest groups would try to influence candidates before an election. Now we have the incumbents going to the interest group saying, 'You have a bill before my committee, we're having a fund-raising dinner next month, how many tables would you like?'" Because there are so many fund raisers during the off year, however, it is difficult to conclude that any one fund raiser was specifically scheduled before a particular vote. One lobbyist has stated that if he bought just one ticket to every fund raiser in the off year, he would have spent $65,000 and gone to over 200 events.

FPPC Chairman Dan Stanford has concluded that there is a "direct and disheartening relationship between the amount of campaign contributions and the level of interest by the contributors in pending legislation."

In an off-election year, incumbents are less concerned about adverse press comment or public opinion questioning the connection between their vote and a particular campaign contribution. Incumbents have no opponents during this period to link their votes to money, and any press stories will be a year old by the time of the election. Moreover, only two campaign reports are filed (with the FPPC) in the off-election year, whereas six disclosure reports are filed at periodic dates in an election year. Thus there is less disclosure in the off year and less fear that a legislator's receipt of a contribution will be publicized at the time a vote is taken.

### Impact on competitive elections

The practice of off-year fund raising has also diminished competition in specific electoral races. Incumbents are afraid that if they don't raise as much money in the off year as other legislators, they will be regarded as vulnerable by potential opponents. Thus they attempt to scare off potential opponents with huge war chests as the election year approaches.

Perhaps the best example of a candidate scaring off an opponent involved Gray Davis, who planned to run for an open Assembly seat in 1982. In 1981 Davis, former chief of staff to Governor Jerry Brown, began raising enormous sums in the Democratic primary. He and Conway Collis, a former aide to U.S. Senator Alan Cranston, engaged in a fund-raising war to intimidate the other into withdrawing from the race. The fund raising became so intense that Collis falsified his financial disclosures to make his fund raising appear more successful than it actually was (see "What makes Conway run?" *CJ*, June 1985). Collis told his campaign treasurer, "Gray Davis has $300,000 . . . he's got a good start. I've got to show Berman (Congressman Howard Berman of Los Angeles) and all those guys that I can raise the money." In March 1982 Collis fell too far behind in the fund-raising battle and withdrew before he became an official candidate. Davis and Collis typify off-year fund raising in many respects — except that nearly all off-year money is raised by incumbents rather than challengers or candidates running for open seats.

In theory, off-year fund-raising should allow challengers to gather momentum for the election year. For this reason many political scientists oppose restrictions on off-year fund raising. When statistics are examined, however, it is clear that challengers . . . almost never raise money in non-election years.

*Continued on next page*

## Off-year fund raising

Top 10 senators (1st half of 1985 and totals for 1983)

| | Senator | Dist | 1985 | 1983 | -rank |
|---|---|---|---|---|---|
| 1. | Roberti | D-23 | $401,160 | $620,466 | 1 |
| 2. | Robbins* | D-20 | 261,433 | 241,301 | 5 |
| 3. | Hart* | D-18 | 235,912 | 101,330 | 21 |
| 4. | Carpenter | D-33 | 222,428 | 461,720 | 2 |
| 5. | Nielsen* | R-04 | 190,760 | 109,426 | 19 |
| 6. | Doolittle | R-01 | 174,204 | 182,289 | 8 |
| 7. | Rosenthal* | D-22 | 156,345 | 48,850 | 26 |
| 8. | Garamendi | D-05 | 150,755 | 223,593 | 6 |
| 9. | Montoya* | D-26 | 144,614 | 125,742 | 13 |
| 10. | Alquist | D-13 | 119,887 | 133,675 | 12 |
| Total for entire Senate | | | 3,404,196 | 4,851,001 | |

* must seek reelection in 1986

Top 20 Assembly members (1st half of 1985 and totals for 1983)

| | Member | Dist | 1985 | 1983 | -rank |
|---|---|---|---|---|---|
| 1. | W. Brown | D-17 | 534,080 | 1,137,587 | 1 |
| 2. | Davis | D-43 | 476,331 | 434,223 | 2 |
| 3. | Bane | D-40 | 296,973 | 252,747 | 7 |
| 4. | Alatorre | D-55 | 257,050 | 242,652 | 8 |
| 5. | Nolan | R-41 | 177,694 | 185,132 | 12 |
| 6. | Margolin | D-45 | 116,687 | 92,673 | 36 |
| 7. | Felando | R-51 | 113,970 | 145,310 | 15 |
| 8. | Konnyu | R-22 | 105,640 | 134,638 | 18 |
| 9. | Katz | D-39 | 103,782 | 155,049 | 13 |
| 10. | Peace | D-80 | 98,811 | 67,272 | 50 |
| 11. | Elder | D-57 | 97,537 | 138,665 | 16 |
| 12. | R. Johnson | R-64 | 89,509 | 67,281 | 49 |
| 13. | Filante | R-09 | 86,138 | 154,537 | 14 |
| 14. | Hill | R-52 | 78,680 | 101,049 | 32 |
| 15. | La Follette | R-38 | 78,487 | 103,174 | 30 |
| 16. | Baker | R-15 | 72,582 | 108,972 | 29 |
| 17. | Robinson | D-72 | 71,863 | 211,907 | 10 |
| 18. | Areias | D-25 | 67,006 | 40,522 | 69 |
| 19. | Hayden | D-44 | 66,850 | 349,137 | 4 |
| 20. | Wright | R-37 | 66,103 | 118,023 | 24 |
| Total for entire Assembly | | | 4,986,677 | 9,486,916 | |

Source: Fair Political Practices Commission



LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

In 1981, according to FPPC reports, all eventual challengers to state legislative candidates raised less than 1 percent ($53,000) of aggregate off-year contributions. In 1983 only eight challengers raised *any* off-year funds. Those eight raised a total of $46,000 — far less than the $81,000 raised by the average incumbent. Of the $14.3 million raised in 1983, 0.3 percent was raised by challengers and 99.7 percent by incumbents.

### Non-campaign expenses

There are other reasons why incumbent legislators continue to raise money in the off year. Leadership positions or committee chairmanships are given in many cases to those legislators who demonstrate the greatest ability to raise funds. Legislators are encouraged to raise money and transfer it to their party's legislative caucus or legislative leader for redistribution to party candidates. Legislators engage in competitive battles with each other to show they are each the fund-raising "king of the hill." David Roberti was elected Senate president pro tempore in 1981 after promising to raise large amounts of money to protect his Democratic colleagues. He ousted Senator Jim Mills, who had made clear his dislike of having to raise substantial funds for other legislators.

Some legislators incur off-year expenses which are not reimbursed by the state. Moreover, some legislators supplement their staff salaries with campaign funds. One legislator, GOP state Senator Bill Campbell of Hacienda Heights, provided his top staff member with $40,000 in campaign funds over and above the staff member's salary. Campbell also used campaign contributions to lend his campaign treasurer's business $110,000. (The debt was repaid after news reports about it were published.)

Some legislators raise large sums in the off year to repay election-year debts. Finally, some incumbents raise contributions in the off-year by telling potential contributors that they may face tough campaigns in the next election year. In the 1984 election 14 Assembly incumbents were unopposed, yet in 1983 these Assembly incumbents raised over $1 million. In 1983 Assemblyman Bruce Young, Democratic chairman of the Assembly Transportation Committee, raised $190,000 primarily from special interests and then announced he was retiring from the Legislature. Young spent nearly all the money he collected in 1983, much of it on attorneys defending him on FPPC violations. Under current law legislators are not allowed to take campaign contributions with them for personal use upon retirement.

### Reform attempts

There have been few legislative proposals to limit off-year contributions. The reason is clear. Incumbent legislators increasingly rely on off-year fund raising to give them a competitive advantage over future challengers. They are extremely reluctant to eliminate a practice that is of significant benefit to them.

In 1982, for example, the FPPC sponsored a bill (SB1541) to limit off-year contributions to $100 per individual and $250 per non-individual. Similar legislation was introduced in 1983 (SB529) . Neither bill was passed out of the first committee.

In July 1984 the FPPC announced it was sponsoring a comprehensive contribution-limitation package (SB2250). Legislative response was immediate. Off-year restrictions were deleted from the bill at its first legislative hearing; it then passed the Senate before being killed in the Assembly.

*Advertisement*

# GOLDEN GATE UNIVERSITY

Golden Gate University, one of the west's major centers for professional education in management, public administration and law, offers an opportunity to earn a graduate degree at more than fifteen California locations, including Los Angeles, Monterey, Orange County, Sacramento, San Diego, Santa Barbara, and Santa Clara County, as well as at the main campus in downtown San Francisco. Golden Gate's multi-campus organization provides a top-quality education at a learning center convenient to home or work, and allows uninterrupted educational progress in case of job relocation.

Three semesters per year are offered at Golden Gate. Students may register for classes that begin in January (spring semester), June (summer), and September (fall). Classes are held mainly in the evenings and on weekends to accommodate the needs of in-career professionals. Instructors are drawn from the University's full-time and teacher/practitioner faculties, the latter being practicing specialists in their respective professional fields.

**The Graduate School of Public Administration**

The Graduate School of Public Administration provides graduate professional education for persons preparing for administrative careers in the public sector; and, for those already in government service, its programs are designed to provide opportunities for career advancement and enhancement. The School has one of the largest graduate public administration programs in the nation with an enrollment of approximately 1,000 degree candidates.

**For further information regarding course offerings, faculty, and registration for the upcoming semester, write or telephone the University at any of the locations listed below.**

Dean of Admissions
Golden Gate University
536 Mission Street
San Francisco, CA 94105
(415) 442-7272

Resident Dean
GGU-Los Angeles
818 W. 7th Street
Los Angeles, CA 90017
(213) 623-6000

GGU-San Diego
see L.A. address

Director
GGU-Orange County Center
4000 MacArthur Blvd.
Suite 3000
Newport Beach, CA 92660
(714) 833-1093

Resident Dean
GGU-Sacramento
660 Bercut Drive
Sacramento, CA 95814
(916) 447-0350

Resident Dean
GGU-Monterey
550 El Camino El Estero
Monterey, CA 93940
(408) 373-4176

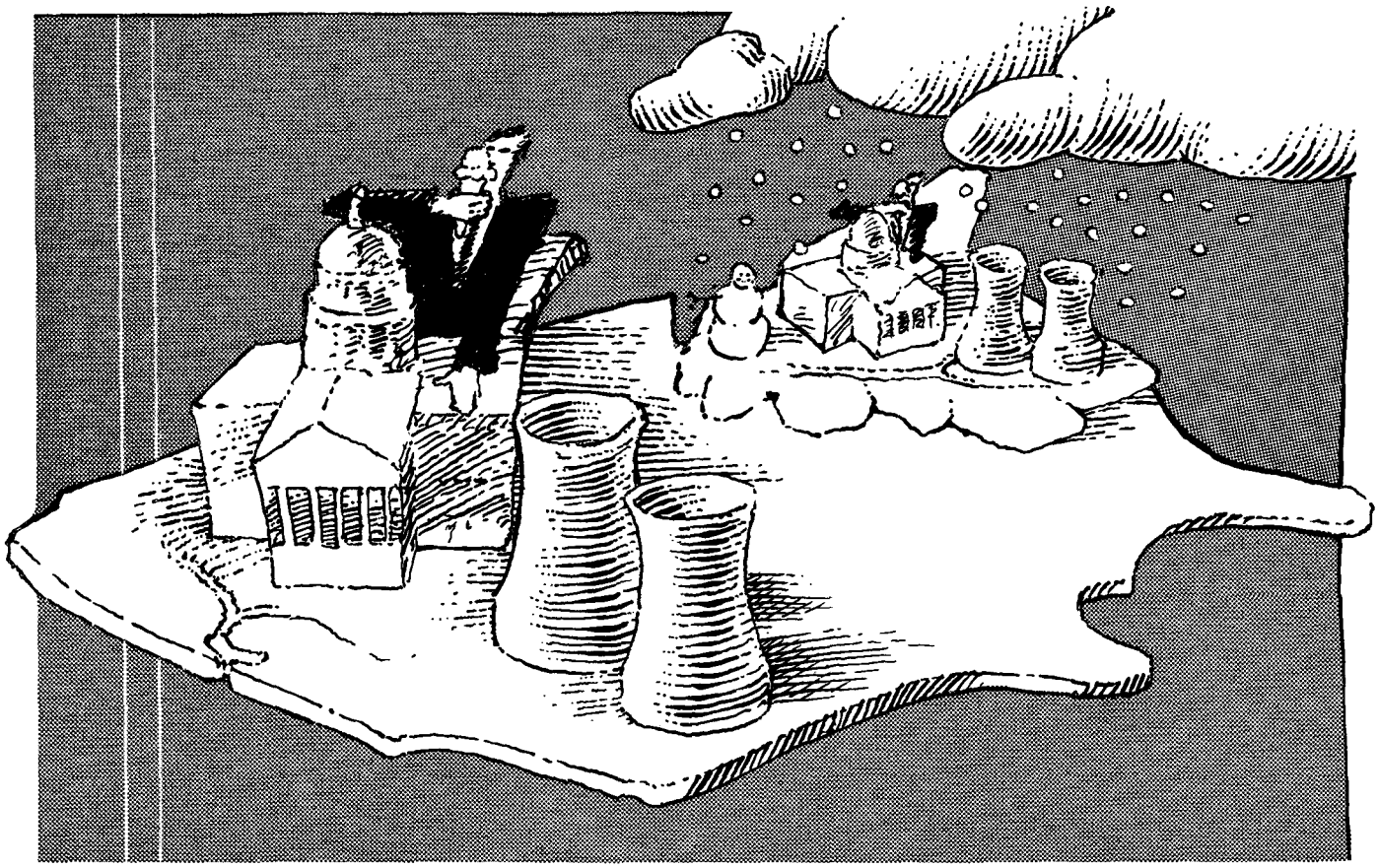
Director
GGU-Santa Barbara Center
6464 Hollister Ave.
Goleta, CA 93017
(805) 968-9554

Director
GGU-Santa Clara County Center
5050 El Camino Real
Los Altos, CA 94022
(415) 961-3000

*Golden Gate University admits students without regard to age, sex, race, creed, color, physical handicap, or national or ethnic origin.*



LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED



Sacramento East?

# Reporter finds California, Pennsylvania capitals similar

By DAN MEYERS

About a year ago, when I left Sacramento for Pennsylvania's capital of Harrisburg, I anticipated immense differences between the political ways of Sunbelt California and the Rustbelt Commonwealth of Pennsylvania. What I found can be summed up in descriptions of the governors and capitals of the Golden State and Keystone State.

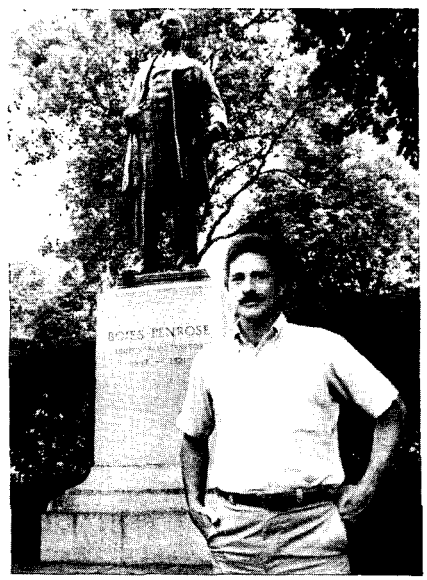
The chief executive of California, George Deukmejian, is a private, somber, former prosecutor who loves ice cream, gives few interviews, can be thin-skinned under pressure and is so cautious his idea of gambling is to forego flossing for a night. Deukmejian is talked about, but not too seriously, as a possible Republican presidential or vice-presidential nominee.

Now I cover Richard Thornburgh, a private, somber, former prosecutor who loves ice cream, gives few interviews, can be thin-skinned under pressure, and is so cautious his idea of gambling is to forego flossing for a night. Thornburgh is talked about, but not too seriously, as a possible Republican presidential or vice-presidential nominee.

In California I lived in a smallish riverside capital city despised by big-city sophisticates as a cowtown, as a wide spot on the road to San Francisco or the mountains.

Now, however, I live in a smallish riverside capital city despised by big-city sophisticates as a cowtown, as a wide spot on the road to Philadelphia or the mountains. We have the crippled Three

*A former Sacramento correspondent for the* San Jose Mercury News, *Dan Meyers is now based in the Pennsylvania capital, Harrisburg, for the* Philadelphia Inquirer.




**Reporter Dan Meyers stands before the Harrisburg statue of former U.S. Senator Boies Penrose of Pennsylvania.**



LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Mile Island nuclear reactor 12 miles downstream on the Susquehanna River. You have one of TMI's twins, Rancho Seco, nearby.

Some change.

Sure there are differences. Deukmejian prefers Jamoca Almond Fudge ice cream while Thornburgh favors a peanut-butter flavor. The Capitol dome in Sacramento is gold; Harrisburg's is green. The press corps softball team in Harrisburg actually is *worse* than Sacramento's.

There is, of course, more to it than that. Perhaps the most significant difference between the state governments is not one of style or outlook, but a straightforward, numerical one. With 80 Assembly members and 40 senators, political machinations in California's Capitol seem infinitely simpler than what goes on in Harrisburg, where there are 50 senators and, God help us, 203 representatives in the lower House. I doubt there is a Pennsylvania reporter or lobbyist who could name each House member and only a handful could recognize all of them.

### Negative results

This has predictably negative results in terms of the quality of the politicians and politics here. Eighty California Assembly members represent 24 million people — about 300,000 residents for each one. In Pennsylvania, with half the population, each representative fronts for 60,000 people. You need more votes to get elected to a local California sewer district board than you do to be sent to the Pennsylvania Legislature.

In Pennsylvania most state legislators are not and never will be either committee leaders or champions of causes. They are, and remain, largely irrelevant. They lack sufficient staff, often sharing secretaries who double as legislative assistants. I won't defend the size of the professional staff in Sacramento, nor will I swear some of them don't do political work on public salaries, but I will say that some staff is better than not enough staff.

There also are legitimate differences between the states in history and attitude. It was easy several years ago to explain to Californians why I left the East Coast. It is harder to explain to easterners why I moved back to Pennsylvania, whose dreamy concept of California is honed on television shows about tan detectives and shapely starlets.

Take cars. One of these days California will make it official and declare as its state mascot a chrome-covered, vanity-plated Datsun 240Z. Pennsylvania is home to the Amish, publicized in the movie "Witness," who don't drive at all or, if they must, strip the cars of chrome and paint the bumpers black. California enjoys sleek freeways; Pennsylvania has toll roads and a Philadelphia highway so battle-scarred it is titled the Schuylkill but known unaffectionately and with only slight hyperbole as the Sure-kill.

California declares its priorities with a cheery sun on its reflectorized license plates. Here, tags proclaim, "You've got a friend in Pennsylvania," a bit of incorrect grammar that, given the devastatingly low test scores in many city schools, few are likely to notice.

Sure, Johnny Carson jokes about smog and small-town ennui in beautiful downtown Burbank, but you don't see him moving his studios to the thriving Pennsylvania metropoli of Wormleysburg, Moon, Egypt, Big Beaver, Scalp Level or Shinglehouse.

The government of California has enjoyed something of a reform image thanks to the defanging of political parties under Hiram Johnson early in this century and the establishment of the Political Reform Act and Fair Political Practices Commission in the 1970s.

This is not a reputation Pennsylvania can claim.

In 1794 Alexander Hamilton concluded, "The political putrefaction of Pennsylvania is greater than any I ever heard of." The joke in the 1800s was that Standard Oil "has done everything with the Legislature of Pennsylvania except to refine it." And according to Pennsylvania writer Paul Beers, folks once cracked about the state Senate, "The Pennsylvania Railroad having no more business in this chamber, we stand adjourned."

One of the grander scalawags of Pennsylvania, former Republican Party leader Boies Penrose, was rewarded with a statue in the Capitol park. Others on the *Philadelphia Inquirer* wrote about the statue, "Penrose is immortalized with one hand thrust into his trousers pocket. This had led historians to question the accuracy of the statue. Penrose had his hands in many pockets, they say, but never his own."

Doug Watts, who left the Deukmejian administration to return to campaign consulting, tells of a friend who then-Governor Ronald Reagan sent to pick up the governor of Pennsylvania at the time, Ray Shafer. On the drive back from the airport they passed a group of men cutting weeds along the highway.

"Hey," said Shafer, pleased to find another state where political pals were paid off with jobs, "you've got your precinct workers out there, huh?"

The flustered young driver replied as they passed the prison work gang, "Excuse me sir, those are criminals."

### Striking similarities

All that said, the similarities between the states are more striking than the differences. It goes deeper than ice cream and cowtowns. The qualities that drive politics and politicians are too universal to be altered by a few thousand miles. It sounds suspiciously simple, but the whole thing comes down to good and evil.

Contrary to popular opinion, there is good in politics. It can be found in Sacramento, and it can be found in Harrisburg. Some legislators work hard, are knowledgeable and choose public service rather than far more financially rewarding opportunities in private life.

But politicians in both states also are vulnerable to money. It's human nature and it's a problem that doesn't stop at the border. Willie Sutton explained his penchant for bank-robbing this way: "That's where the money was." Unscrupulous lobbyists and businessmen feel no differently about state governments.

That seems to be the case with W. Patrick Moriarty, the Orange County fireworks magnate who pleaded guilty last March to mail fraud. He also has

*Advertisement*

FGK F G Kimball Company, inc.
Petition Management

*A Full Service Petition Campaign Organization*

OVER 3,000,000 SIGNATURES GATHERED AND PROCESSED

**Our Experience Includes:**
State and Local Initiatives
Referendums
Recalls
Plebiscites

**Our Expertise Encompases:**
Processing, Caging and Submission
Petition Design and Printing
Volunteer Coordination
Paid Signature Solicitation
Multi-State Petition Coordination

**Phone (818) 991-6491** 31220 LaBaya, Suite 111, Westlake Village, CA 91362-4008
*Non Partisan Since 1969*



LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

testified that he provided politicians with prostitutes and laundered money in pursuit of various ventures, including legislation that would help his business. Some Sacramento politicians entered into business arrangements with Moriarty around the time the bill he sought was voted on.

You have your government influence scandal, and we have ours — the CTA case. A Pennsylvanian who moved to a stucco bungalow in Newport Beach, John Torquato Jr., has testified in federal court here that he tried to offer several Pennsylvania officials a total of $900,000 in campaign contributions in exchange for their help in securing for him a state computer contract worth at least $4 million.

Torquato's company, Computer Technology Associates, or CTA, was given the contract only to have it canceled when word of the attempted bribes leaked out. Five people, including Torquato and one minor government official, have confessed or been found guilty in the CTA case. The prosecutor has promised further convictions of high-ranking officials, and a grand jury in Harrisburg has spent several days questioning top aides to the state treasurer, who authorized the contract.

It may be that both the Moriarty and CTA scandals will fizzle, with no further convictions. Moriarty and Torquato were careless enough to get caught; maybe they were sloppy as well in describing the extent of their influence, or maybe they hyped their stories to get a better plea-bargain.

But even without further convictions, it could be argued that the Moriarty and CTA cases show the unexpected similarity between California and an historically corrupt, content state such as Pennsylvania.

### Cost of doing business

"Under the current system in California, political contributions are perceived as the cost of doing business for every major contributor who has an interest in pending legislation in Sacramento," said FPPC Chairman Dan Stanford. "Until you address the problem of contributions being used as a key component to the governmental process you are going to have the abuses that are seen in California."

According to Moriarty's lawyer, former federal prosecutor Jan Handzlik, "It is not difficult to understand why voters become cynical about the political process in light of the fund-raising tactics of some legislators. Elected officials in Mr. Moriarty's case responded favorably to someone making large campaign contributions. The campaign contribution opens the door to the legislator's office even if there may be no corrupt motive or purpose on the part of the legislator or donor."

Handzlik concluded, "It was not difficult for Mr. Moriarty to gain the attention of elected officials by making himself available to making campaign contributions."

In Pennsylvania, Torquato operated brazenly, flying politicians around the country, putting one up at a New York hotel, sending others a $250 Baccarat crystal and — what a calling card! — a glass shark.

Torquato once explained why he used favors and bribes to pursue his ends. "That's the way the game is played in Pennsylvania," he said.

So life in this capital is not so different from Sacramento. The Moriartys and Torquatos of the world will plot, governors will eat ice cream and dream of greater glories, and cowtowns will be cowtowns.

And when the ice floes pile up in the Susquehanna this winter I'll pull my parka around me, tug my woolen cap tight, point frosted chin into wind-whipped snow — and tell myself it's rain.

*Advertisement*

# California Journal Campaign Reform Seminar
# January 17, 1986. Sacramento

A fascinating all-day conference on campaign reform

**The California Commission on Campaign Financing has published its final report after 18 months of study:**
"The Commission has concluded that California's rising election costs and changing patterns of campaign financing have seriously distorted the state's legislative and electoral systems. In some races too little money is spent to inform voters of relevant issues. In other competitive races far too much money is spent -- deterring qualified newcomers from entering politics, encouraging candidates to solicit money from organized statewide interests and drawing legislators into seeming *quie pro quo* arrangements with contributors. Small local contributors are disappearing. Legislators are spending more time raising money and less time formulating policy. Partisan political battles are intensifying. Public confidence is eroding. Without comprehensive measures to address these most serious problems, the situation in California will worsen."

SAVE THE 17th of JANUARY

**CAMPAIGN REFORM**

**FUTURE SEMINARS from the *Journal* and Legislative Seminars:**

FEBRUARY

**LEGISLATIVE PROCESS for EDUCATORS**

MARCH

**DEMYSTIFYNG THE STATE BUDGET PROCESS**

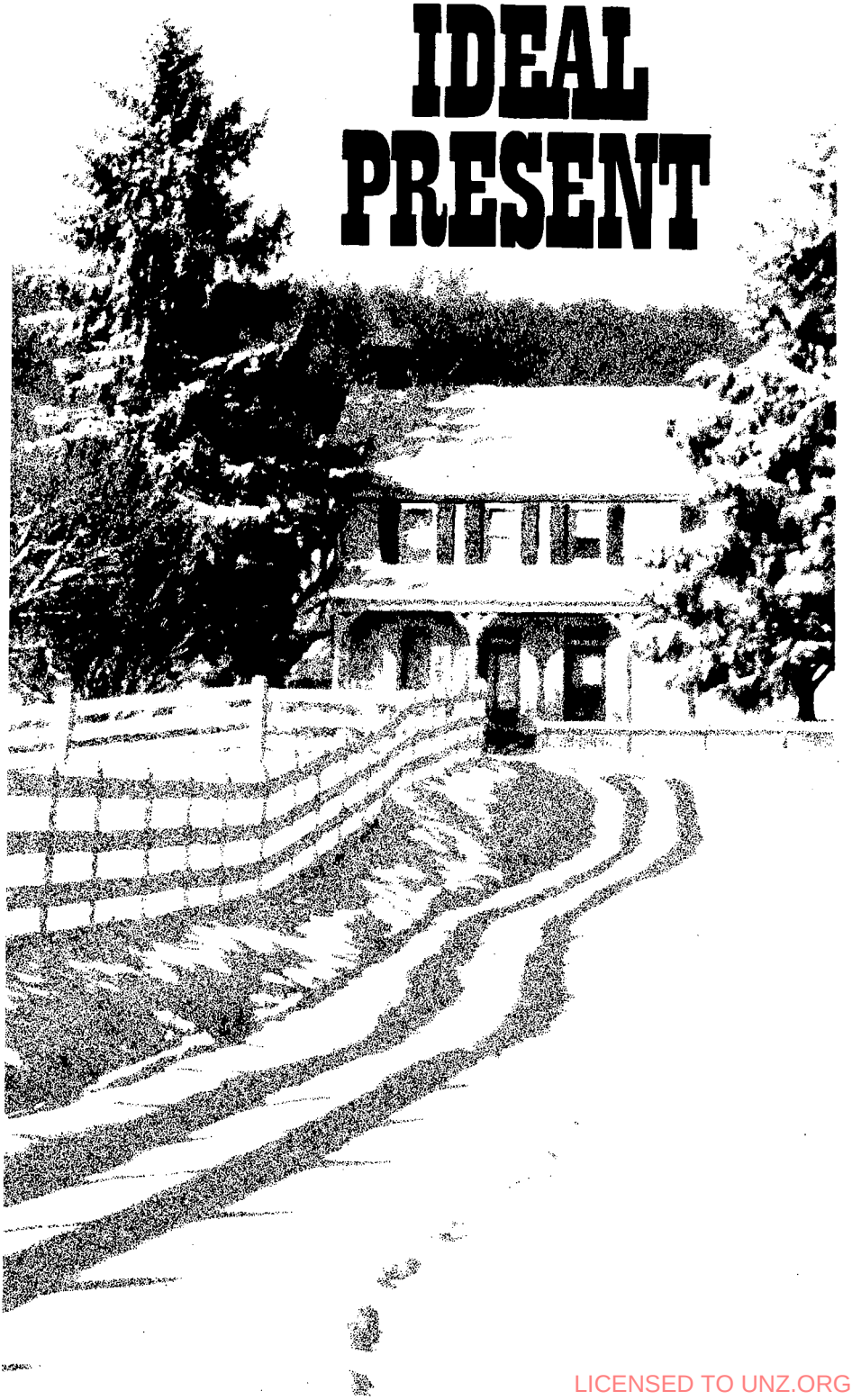
**WHERE:** Clarion Hotel, 16th & H, Sacramento
**FEE:** $125, includes lunch & reference materials
**TO REGISTER** or for further information, contact:
Seminars c/o California Journal
1714 Capitol Avenue Sacramento, CA 95814 916/444-2840 or 916/442-7904

**This program is co-sponsored by *California Journal* and by Rod Tuttle's Legislative Seminars**



LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

# CALIFORNIA'S FUTURE MAKES AN IDEAL PRESENT



You are now reading the guide to the state's political future, otherwise known as the **California Journal**. The main purpose of most **Journal** articles is to foresee developments in the world of California government. Why not share these foresights with your friends and relatives by giving them a gift subscription during the holiday season?

The **Journal** makes an ideal present for anyone who is or should be interested in California public affairs — and it keeps coming 12 months a year at a price that can meet any budget. You pay $19 for one gift subscription and only $17.50 each for two or more gift subscriptions. That's a saving of $3 over the regular price for a single gift subscription and $4.50 each for multiple orders.

We will send a card to each recipient informing him or her of your thoughtfulness. Just send your gift list with a check or your Visa/MasterCard number to our subscription department at 1714 Capitol Ave., Sacramento 95814. We'll do the rest. (If you prefer, we'll bill you.)

## ANOTHER SUGGESTION

Books from the California Journal Press also make wonderful holiday gifts. Look at the listing inside this magazine for book bargains galore.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Behold. The Middle Kingdom.
It's not on the way to anywhere else. The nearest superhighway is a mountain range away. You don't drive along the central coast; you enter it.
South, out of San Francisco at the Presidio, past Half Moon Bay, through a corridor of carnations and roses and strawberries and wetlands. Past the funky towns and fancy waterholes that rim Monterey Bay.
South, past the Carmel mission, to Big Sur. (In most of the world, by some prior agreement, oceans and mountains stay away from one another. But at Big Sur they meet head on, and the first thousand feet of shore line is straight down.)
Suddenly, San Simeon. Ceilings from Italy, carpets from Persia, royalty from Hollywood. Wow.
South again, along an epilogue of easygoing beach road designed to send you on your way. Just below Morro Bay the road turns, the ocean vanishes, the land closes in behind you, and you're back in the outside world.
For a free pocket guide to all The Californias, write: Office of Tourism, P.O. Box 9278, Dept. T1-20, Van Nuys, CA 91409
The Hearst Castle, home of America's first media mogul. Take a day to see it; it took a lifetime to build.
Forget the map. Read Steinbeck. People will think you're a native.
Steinbeck Cannery Row
Bring your sticks. Pebble Beach and Spyglass are public courses. Not free. Public. Bring money, too.
No other thistle Makes gourmets whistle Like this'll.
The Monterey Bay Aquarium is the newest, largest, spiffiest in the world. There's a kelp cathedral, a giant reef and a gang of baby otters that were raised on a waterbed.
They named a Festival after it. No place has jazz like Monterey has.
San Francisco
Santa Cruz
Watsonville
Monterey
Carmel
Salinas
Big Sur
San Simeon
San Luis Obispo
The Central Coast: One of The Californias.

# Promoting the Californias

## "Toto, I've a feeling we're not in Kansas anymore."

**By SUSAN PENNER**

On George Deukmejian's hit parade, one Top Ten tune is being sung throughout the state: "A job for every Californian who wants one."

Unemployment figures have yet to drop radically, but the state's band is out attempting to drum up new business. For starters, some 24 individuals have found work revamping the state's own Department of Economic and Business Development. In July 1984 that cumbersome title was reduced to "Department of Commerce," while its budget was beefed up some 123 percent — from $6.7 million in 1983-84 to $14.9 million for 1984-85. This year, it's closer to $20 million.

A change in title is not all that's afoot in the department's casually elegant sixth floor offices at the restored Senator Hotel. The "new" department is up-beat and in vogue, with mauve carpeting, soft-hued walls and an open atmosphere created by the use of carrels rather than offices. The new look is polished and professional, like pictures in the promotional posters that adorn the walls of a video conference room just outside the director's office.

Out of these offices "The Californias" — a glossy, two-pronged, $6.5 million-a-year ad campaign — has been born, featuring black-and-white, futuristic, business development ads or pretty-picture, stream-of-consciousness tourism ads. About $1.5 million of that budget was spent developing ads boasting the state's access to the trillion-dollar Pacific Rim market, its incredible number of fully-improved business parks and its standing as the eighth largest world economy, a figure that climbed to seventh since the brochures were printed.

The remaining $5 million was invested in television ads promoting the state's large cities and in print ads that couple pictures with folksy descriptions of lesser-known areas, such as the artichoke region along the Central Coast ("no other thistle makes gourmets whistle like this'll") or travel on the Gold Country's waterways ("Whitewater rafting comes in three delicious

*Susan Penner is a freelance writer from Sacramento.*



LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

## Skinny roads, fat skies and ghosts.

The roads are wider than the first wagon trails, wider than the old railroad rights of way. But not by much.

The big highways are the original ones: the Tuolumne, Merced, American and Stanislaus rivers that tumble out of the Sierras toward the Pacific.

In 1848, four hundred settlers came here, to farm, to trap. In 1849, ninety thousand showed up. They'd heard about gold.

No people on earth left a better written history than the Forty Niners. It's all there in the names of the gold towns:

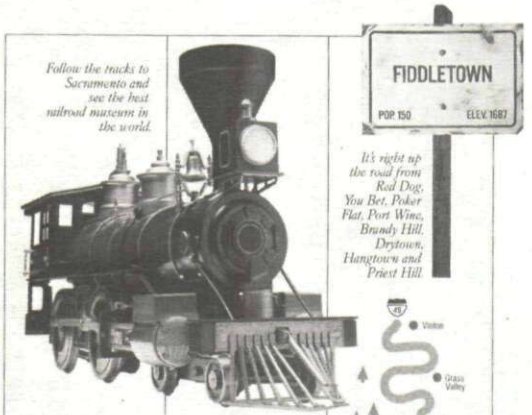
Rough & Ready. Confidence. Snow Tent. Poison Lake. Poverty Hill. French Corral. Chinese Camp. Spanish Dry Diggings. Dutch Flats.

Have you ever panned for gold? Or walked into a saloonful of Tiffany glass? Or slept in a hundred year old bed?

Have you ever wondered about Californians – about their exasperating optimism?

Come see where it all began.

*For a free pocket guide to all The Californias, write: Office of Tourism, P.O. Box 9278, T2-20, Van Nuys, CA 91409*




*Follow the tracks to Sacramento and see the best railroad museum in the world.*

*It's right up the road from Red Dog, You Bet, Poker Flat, Port Wine, Brandy Hill, Drytown, Hangtown and Priest Hill.*

*The Celebrated Jumping Frog, resting between celebrations at his estate in Calaveras.*

*The first miners were mostly just a flash in the pan. Then the pros moved in— hard rock miners from Wales and Cornwall and Ireland.*

*Classic, classy and kitsch. Don't throw anything away around here. You'll hit an antique store.*

*Whitewater rafting comes in three delicious flavors: Nice, Scary and Insane.*

## The Gold Country: One of The Californias.

flavors: nice, scary and insane").

The ad campaigns, developed by Keye/Donna/Pearlstein, stress diversity by breaking the state into 12 regions which together make up "The Californias." But the advertising, says Commerce Director Christy Campbell Walters, "is just one leg of the stool" in the department's attempt to bolster tourism and increase expansion and new business in the state. Since regrouping, the department has opened satellite offices, conducted surveys, participated in conferences and printed all kinds of new literature.

The change is another hill in the roller-coaster ride that has been the job of promoting the state's economic growth since Ronald Reagan first created a Department of Commerce. Then-Governor Reagan's Commerce topped out at 22 employees working with a $1.2 million budget. When Jerry Brown took office, the department was deemed a "boondoggle" and hastily defunded. Toward the end of his first term, however, Brown "recognized that he had made a mistake, that recruiting business was a legitimate function of state government," recalled Beverly Hills Assemblyman Gray Davis, then Brown's chief of staff. That realization developed into the Office of Economic and Business Development which started through an executive order with a crew of about three, a $120,000 grant and a business "help line." It has grown steadily since.

"We're living in very different times," Davis explained. "In the mid-70s the prevailing view was that you were lucky to be admitted to 'Club California;" the state's good climate and educated workforce sold itself. Since then, however, other states with sunny climates have improved their education systems, he said, adding, "California became their happy hunting ground."

"In my view we were losing a race and we hadn't yet suited anyone up to enter it," he added. The overhauled and enhanced department puts California back in with the pack.

Business-oriented Governor George Deukmejian had made improvement of the state's business climate part of his election campaign. But beyond that, there was a widespread perception in the business community that California was just not a very hospitable place.

A survey of 360 officials responsible for site selection in a variety of industries showed that California was not high on their roster for a number of reasons, but primarily because of a perception that it cost too much to do business in the state. Fifty percent of California business leaders who responded agreed that "a significant number" of California firms would find it desirable to take their businesses elsewhere. Another 11 percent were more emphatic, responding that it was "likely that many firms will do so."

These 1983 findings were reinforced with conclusions arising from two task forces, one of top management and the other of economic development practitioners: Among other glowing observations, California was perceived as being anti-business; as having a deteriorating education system; as suffering from a burdensome, anti-business regulatory environment; and as disinvesting in its infrastructure. Not all of these perceptions were based on fact, however, and that was where marketing could be helpful. But before any



LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

marketing campaign could take place, Commerce needed more information about why, for instance, business leaders thought it too expensive to conduct business in California.

Groups interested in making investments are "information hungry;" they tend to go where "they know they can have all of their information needs taken care of professionally and confidentially," explains John Roberts, executive director of Sacramento Area Commerce and Trade Organization (SACTO). "In fact, a lot of us built our careers on stealing business from California . . . It was easy to do, to take a California business out of California." Roberts came to SACTO a year ago from the Texas Industrial Development Council. He thinks California's new efforts deserve an "A-plus."

"We had nothing, I mean *nothing*," Walters reflects. "When I walked in here we did not even know what the cost of doing business was in Austin, Texas; to know whether it was cheaper or not in California. We found California is very competitive to Austin, costwise."

Every time Walters, a congenial woman, hits on Austin, she has to catch herself or go off the record. The loss of a California computer consortium to that predator still stings (see "Texas 1, California 0," *CJ*, October 1983).

In its catch-up research, the department found that many smaller communities in California were cost competitive with Sunbelt locations promoted by other states. Yet the entire state had been taking the rap for notoriously high costs in the state's metropolitan areas. Walters further found that doing business in Los Angeles or the Bay Area "looks cheap" when compared with other world-class markets like Tokyo, New York, Hong Kong and Singapore.

### Movies and tourism

Commerce opened a California Film Office in Hollywood after observing a drop in the percentage of films shot in the state (from 50.3 percent in 1981 to 29.3 percent in 1982). Of 156 films made in the United States in 1984, only 56 were shot in the state, meaning roughly $720 million went elsewhere. The film office, within the department's Office of Local Development, acts as a clearinghouse for sites available to the industry and instructs communities on how to attract and contract with film makers. It is another leg of the stool.

California was tortoise-like about launching a tourism promotional program, particularly considering that, at $31 billion last year, it is the state's largest industry. As early as 1970, 30 states were spending a total of $7 million for tourism promotion. By 1982 the total had reached $44 million spent by 48 states. But California and Nevada had yet to spend a dime.

CHRISTY CAMPBELL WALTERS

Not that tourism was falling off. But existing advertising was fragmented, and market research indicated that "Yuppies" — young, urban professionals — were the group most likely to travel. Everyone knows California has a lot of them — which accounts for the advertisements for Alaska and Australia, or those for Arizona, Utah, Colorado or Hawaii. Then too, areas hardest hit by the recession could be billed as interesting alternative vacation sites, historical spots and the like.

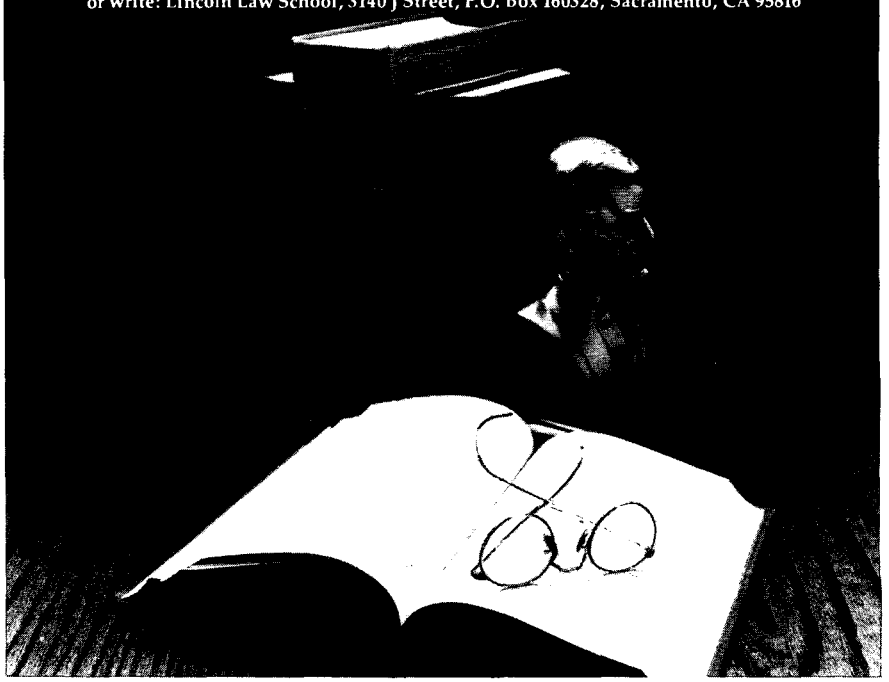
"They're all coming and poaching on California's market," Walters says. "As far as I'm concerned, if all we did was keep California business expanding within the state and California consumers traveling within the state and California film-production companies producing their films within the state, we would be having the roaringest economy that anyone could ever dream of. We are our greatest resource. To some extent, we can't ignore (promoting) outside the state because we're never going to keep all of the Californians here nor should we."

The new state ad campaign at $5 million is not too lavish when measured against local budgets. For instance, Los Angeles' tourism promotional budget is $850,000 for an area that doesn't even include Anaheim. However, if Walters has her way, the budgets won't stay small: "We're going to keep growing. We're like a brand new business. We're just through our first year, and I think we've done a very good job."

On the business side, efforts began nearly two years ago and were en-

*Advertisement*

Lincoln Law School
of Sacramento
Fully accredited by the Committee of Bar Examiners of the State Bar of California
Apply now for Admission.
Phone 916/446-1275 • Mon.-Fri., 9am-8:30pm
or write: Lincoln Law School, 3140 J Street, P.O. Box 160328, Sacramento, CA 95816





LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

hanced this spring with the first four in a series of print ads. Brochures targeting specific segments of the high-tech industry are in the works, with one out already on biotechnology. By the halfway mark, 1985 looked to be an exceptional year — 301 firms had reportedly committed to roughly $1.2 billion in expansion inside California, bringing with them about 108,100 jobs. Similarly, 1984 had been considered a bumper year, and it topped out at 415 expansion and new location plans. Total jobs are up by about one million since 1983, Walters adds.

The department's Office of Economic Development opened regional offices in Los Angeles and San Jose, areas which combined represent more than 80 percent of the state's economic activity. The skeleton crews stationed there act as an "intelligence network" and concentrate on business retention. For instance, the staff in San Jose was able to catch and convince Custom Chrome to stay in Santa Clara County before the manufacturer could move its $9 million expansion and 600 new jobs out of the state.

One economic developer, who requested anonymity, suggested that the business development program could be more directed, targeting specific "clean" businesses, rather than attempting a "warm body" campaign more sure to draw a large number of inquiries to please legislators than to actually accomplish the campaign's goal of attracting new and expanding business to the state. The individual sees signs that year two in the program is heading in that direction.

The first draft of a followup study to the 1983 business survey indicates that perceptions about doing business in California have changed. Of California business executives surveyed, about 50 percent now say there is a "good" or "almost certain" chance they will expand or relocate in-state. Texas was mentioned the next-most-frequently, by one in seven. Although the sampling isn't the same as the pre-Commerce survey, the findings are supported by sentiments expressed in the field. It's not a tangible change — and just how much is to be attributed to the department's efforts is difficult to say. Jack Kyser, Los Angeles Chamber of Commerce chief economist, believes the department "is doing a very, very good job," but thinks the surge in expansion and new business in his domain (23 projects in the second quarter of 1985 alone) is partially the result of "halo effect." At the same time that the department is projecting this positive "we want you" image, LA is enjoying the "afterglow" of the successful 1984 Olympics, he says.

### Changes

Feedback on the initial tourism effort isn't as rosy, but there's room for hope. On the positive side, a recently-released study shows that people who are inclined to travel consider California a prime vacation destination. They mention it twice as often as Hawaii.

On the down side, the private-sector survey found that of those who were likely to see the ads, not many recalled them. And of those who think they saw state advertising, few if any can remember the theme or slogan. In fact, the survey showed that many respondents thought they were seeing state advertising even before it began.

However, department economic researchers urge observers to bear in mind that this is year one. Also bear in mind, adds Walters, that the department was starting at ground zero when it came to this kind of advertising.

Changes are under way in year two. Instead of running three 60-second television ads during special programming (i.e., the Academy Awards), the

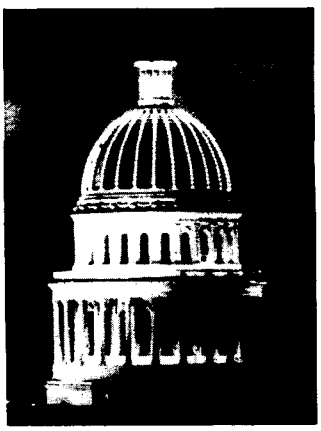
Advertisement

Nightsongs
A BOUTIQUE FOR LOVERS

Pleasure yourself or someone special with our exquisite lingerie, luscious lotions or an exotic gift from our Adventurous Adults Only Room.

2421 ½ J • Christmas Hours: M-F 10-9 Sat 11-5 • 442-2252

Advertisement



A-K Associates, Inc.

- Government Relations
- Public Relations
- Professional Association Management

1800 K St., N.W., Suite 1105
Washington, DC 20006
(202) 887-5144

1225 8th St., Suite 590
Sacramento, CA 95814
(916) 446-7505

Affiliate offices in major states



LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

state will run one 30-second ad during prime time to hit a broader audience. Out-of-state TV ads will be limited to Portland, Seattle and Denver so results can be measured more easily. Frequency will be increased through a newly-adopted program of sharing an ad and its costs with municipalities or private enterprises. For instance, Los Angeles has ponied up a good deal of its annual advertising budget for the program. Other, smaller communities are following suit.

Walters is not disappointed that those surveyed did not remember the

THE CALIFORNIAS

theme, "The Californias," although the surveying agency believes it important. "We did not want to reduce California to a slogan," she says. "It's like averaging California on the business side — it just shouldn't be allowed. The tourism advertising that we're trying to achieve is a little bit inspirational, a little bit exciting and, to some extent, moving. For such a short time, I'm pleased that we've made this kind of impact . . . On the negative side it shows our work is cut out for us to make a broader impact."

Gray Davis believes the priority and budgets of the two ad campaigns should be reversed. He argues there is no need to spend $5 million on tourism, "our flagship industry," because people already think of vacationing in California. Instead, he would devote the $5 million to business-related ads that attract more permanent jobs. Davis notes that while the state is now enjoying "50 cents of every procurement dollar" spent on defense, that financial support is almost certain to move elsewhere unless the country elects another Californian president in 1988.

Walters has heard the complaint before but counters that the tourism audience is much broader than the business community and that her office has so many other means with which to attract business while advertising is a major force in the tourism industry.

The department's positive impact on the state's business climate is starting to take shape. Just what impact this will have in an election year is unclear — few agree on who is to be credited with the accomplishment. Economic developers credit the turnaround to a strong bipartisan effort among legislators and

**Governor Deukmejian and friends help kick off the campaign to promote tourism in "The Californias."**

the governor, noting also the talented personnel at Commerce. Appointees at Commerce, not surprisingly, credit Deukmejian's strong support of business and his determination "to change the product" which they market. A change in administration midway through their five-year marketing plan would be "unfortunate," said Deukmejian appointee Walters.

As for name recognition, the governor now has his name stamped, embossed, printed or flashed across a variety of professional glossy media, as is his prerogative as the state's chief executive. Businessmen may take note, but it's probably not the first thing potential vacationers notice when flipping through the material. If they can't remember the ad or the theme "The Californias," can they be expected to remember his name?

*Advertisement*

**IMPLEMENTATION PROBLEMS?**

Learn **SDIC/CPO** (Systematic Development of Informed Consent/Citizen Participation-by-Objectives), the management strategy that helps you get even very controversial projects, programs, plans, regulations, bond issues . . . etc. **implemented. SDIC/CPO works.** Try us! Ask us for California references.

SCHEDULE

- ATLANTA, GA Dec. 9-13, 1985
- BOULDER, CO Jan. 6-10, 1986
- LOS ANGELES June 2-6, 1986
- PORTLAND, OR June 9-13, 1986
- NEW YORK, NY July 7-11, 1986
- ANNAPOLIS, MD July 21-25, 1986
- BOULDER, CO Jan. 5-9, 1987

IPMP BOX 4068, LARAMIE, WY 82071 / (307) 742-5941



LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

# Richard Alatorr

## Democratic assemblyman bids for seat

It seems like a paradox: Assemblyman Richard Alatorre, 41, a leader of the state's Hispanic delegation in Sacramento and close ally of Speaker Willie Brown, is ready to step down from his 55th Assembly District seat to become a Los Angeles city councilman. On its face, Alatorre's decision to run for the 14th District seat — left vacant when five-term Councilman Art Snyder resigned — appears a puzzling, downwardly-mobile move. But perhaps not.

Alatorre, who earned his stripes as an aide to ex-Assemblyman Walter Karabian, is used to questions about what he's up to. They are put to him repeatedly as he stumps the 14th District, 60 percent of which lies within the Assembly district he has represented since 1972.

ANTONIO RODRIGUEZ

GIL AVILA

His answer: "I've represented this community for the past 13 years. The people here have been good to me, and I believe I can best serve them in a direct, hands-on way in the City Council . . . In the council, you deal with the basic needs of the people — filling potholes, seeing that trees are trimmed, and police services."

Those sound like mundane chores for one who has painted on a bigger political canvas. As a key player in Brown's upset speakership victory in 1981, Alatorre won the powerful job of chairing the Assembly's Elections and Reapportionment Committee, crafting a redistricting plan that helped send two more Hispanics to Congress. He is now chairman of the Governmental Organization Committee. In the realm of legislation, Alatorre has been most notably associated with bills to legalize off-track betting, to curtail local rent-control laws and to have public financing of political campaigns.

"Sure, most people see this as a step-down, but I don't . . . (And) there's no hidden political agenda," Alatorre insists.

Despite his disavowals, most observers see Alatorre's move as calculated to catapult him into Democratic Congressman Ed Royball's seat or perhaps to prepare him to run for the Los Angeles County Board of Supervisors, the Los Angeles mayor's office or even a state-wide elective post.

Several factors fuel such speculation. Not the least of these is that Alatorre for years has openly coveted the 25th Congressional seat held by Roybal, now 69 years old. In fact Alatorre flirted with the idea of running against Roybal in the late 1970s when the congressman was tainted by the Korea-gate scandal. Also, Alatorre would likely gain stature as a councilman by becoming the unique embodiment of a long-frustrated Hispanic political dream.

### A long drought

For two decades, no Hispanic has served on the Los Angeles Council. (The last was Roybal, who left in 1962 for Congress.) This discrepancy has existed even as Los Angeles became increasingly Latin-ized and as the 14th District became the city's most Hispanic district (Hispanics now comprise 73 percent of its 200,000 constituents; 53 percent of its registered voters). During those years, Hispanic political hopefuls repeatedly tried to dislodge the often-controversial incumbent, Snyder, with Alatorre himself backing two of these drives.

*John Schwada covers Los Angeles City Hall for the* Los Angeles Times.



LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

# e's risky switch

## City Council

**By JOHN SCHWADA**

Given this history, an Hispanic councilman would become a political messiah of sorts, a sensation. As one pundit said recently: "Whoever becomes the council's Hispanic member will be the most famous Hispanic in town."

But the most likely road for a Latino leads through Snyder who through the years has shown a remarkable ability to stay in office despite a series of politically adverse events. However, last January 2nd Snyder, 53, announced that he intended to resign by July, a date he later amended to September. His announcement came shortly after Los Angeles District Attorney Ira Reiner's office had begun investigating a charge that Snyder, five years before, had sexually molested his young daughter, now 10. In April the district attorney's office said it did not have enough evidence to file against Snyder. Even so, Snyder stuck to his plans to resign, insisting he was leaving to practice law, not because of the molestation controvery.

Snyder's well-publicized scrapes with the law, his peccadilloes, his political troubles have regaled and appalled Los Angeles residents for years. In 1973 Snyder caused a stir by divorcing his first wife and marrying one of his council aides, a 19-year-old aspiring actress (Snyder is now married to his third wife, also a former aide). In 1980 Snyder was arrested for drunk driving in a city car, but he later pleaded no contest to one count of reckless driving. Snyder was stripped of a committee chairmanship in 1979 by the council leadership for the apparent brazenness of his efforts to raise campaign funds from developers. In a separate development, Snyder in 1982 agreed to pay a $14,000 fine to the state Fair Political Practices Commission because — by his own admission, which he later repudiated — he had voted to approve contracts with a social-services agency with which he had pri-

STEVE RODRIGUEZ

ROSS VALENCIA

vate business dealings.

Despite these troubles and a bid by his council foes to put him on unfriendly turf through reapportionment, Snyder, a savvy politician, won four reelection campaigns without once being forced into a run off, survived two recalls and won high marks from his colleagues for his ability to deliver constituent services.

With Snyder finally stepping down, Alatorre, if he indeed harbors bigger ambitions, can't afford to have the honors go to anyone else, especially when the field of would-be-Snyder-successors includes seven other Hispanics. Among these: Steve Rodriguez, 37, who has built up a grass-roots following in two prior efforts to unseat Snyder; Gil Avila, 49, Governor George Deukmejian's former top liaison to the Hispanic community; Antonio Rodriguez, 44, head of a poverty law firm; and Ross Valencia, 59, Snyder's top deputy for 11 years.

Finally, situated as they are in the huge media market of the nation's second largest city (and its political fund-raising capital), Los Angeles' 15 council members are much more visible than, and perhaps as powerful as, the state's 120 lawmakers. "If you want to go on to another major office, being a Los Angeles city councilman is probably a better launching pad," notes Tom Quinn, once a top political aide to former Governor Jerry Brown and now head of a Los Angeles news service and consultant to the gubernatorial campaign of L.A. Mayor Tom Bradley.

Defeat met Alatorre's initial moves on the Los Angeles chessboard. His first gambit was to lobby council members



LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

to appoint him to Snyder's seat (one option for filling an unexpired term). But the council, animated perhaps as much by jealousy (some of the body's ambitious members, it is suspected, are not anxious to hand Alatorre any freebies) as by the good-government protests of the other Hispanic candidates for Snyder's seat, opted instead for a December 10th special election.

Secondly, a Los Angeles voter-approved reform law was interpreted to bar Alatorre from using $290,000 in his Assembly political committee's coffers to run for the council. In this verboten amount: $100,000 loaned by Speaker Brown to help Alatorre's council bid. Despite it all, Alatorre is expected easily to out-class his rivals in fund-raising and professional political support. (Brown political operative Richie Ross is running his campaign. Helping too is the firm of Winner, Taylor & Associates — the engineer of Snyder's last victory in a recall election.)

One bonus for Alatorre: In a hatchet-burying move, Snyder has endorsed him. Despite his checkered career, Snyder has commanded fierce loyalties in the 14th District among senior citizens, Anglos and conservatives who because they have a high propensity to vote, carry heavy weight in nonpartisan, low-turnout municipal elections.

Finally, if Alatorre fails to secure more than 50 percent of the vote on December 10th, there will be a runoff election. In a runoff, the odds now being put on Alatorre would undoubtedly slip. And such a match-up would be held sometime after February 5th, the deadline for Alatorre to file, if he's so inclined, for a seventh term in the Assembly. Would he hedge his bets and file even as were running for the council? Alatorre has refused to say.

*Advertisement*

**Position Available**

**EXECUTIVE DIRECTOR,**

***California Confederation of the Arts, Sacramento, CA***

Responsibilities: work with Board and its committees to establish statewide arts policies and programs; fiscal & development planning and management; strengthen relationships with the Arts Confederation's community; manage PR and publications. Qualifications: experience in management, administration, fund raising, advocacy, leadership, creativity, knowledge of the arts and its role in society. Salary: $40,000 depending on qualifications. Starting date: February 1986. Request application from Robert Walker, Search Committee Chair, San Francisco Opera, 301 Van Ness Avenue, San Francisco, California 94102

*Advertisement*

MANAGEMENT SERVICES FOR ASSOCIATIONS
106 K Street • Suite 340
Sacramento, California 95814
916 • 442-0608

**Specialized Services**

• Communications
• Conventions, Meetings and Seminars
• Legislative Awareness
• Long Range Planning
• Membership Campaigns
• Recordkeeping
• Trade Shows

Professional Management for Trade Associations and Related Organizations

Photo by Javier Mendoza/Los Angeles Herald-Examiner

**Former City Councilman Art Snyder's emotional farewell to Los Angeles city government.**



LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

# The expanding world of student loans

## A $1.6 billion state program comes under increasing public scrutiny

By CURTIS L. RICHARDS

Providing students with money to attend the college of their choice has become big business in California; more students are borrowing more money than ever before. But this decade's explosive reliance on outside financial aid — particularly the reliance on borrowed money — has also resulted in a host of problems, including charges of program mismanagement and an escalating rate of default on student loans

"Student aid has become a major part of the economics of higher education. It's no longer a peripheral enterprise," says Patrick M. Callan, director of the California Postsecondary Education Commission. "Because costs, both actual fees and charges and non-instructional costs, have gone up — and because we've been working very hard to eliminate financial barriers for everyone who's qualified for a higher education — our student-aid programs are much bigger. There has been enormous growth in our programs."

Nationally, student aid has increased 250-fold since 1956 when nearly $100 million was provided annually. This year, that will have increased to $16 billion, according to Arthur S. Marmaduke, who recently retired after 25 years as director of the California Student Aid Commission. California's programs have matched that pace, going from $10 million in 1955, to $1.6 billion this year.

Originally formed in 1955 the State Scholarship Commission, now called the California Student Aid Commission, was responsible for administering one grant program intended to assist academically-meritorious students in attending private colleges and universities. "Now we've greatly expanded the concept of what student financial aid is supposed to do," explains Marmaduke. "We've moved away from providing financial assistance to individual students with high aptitude achievement toward a comprehensive view of student financial aid as a public policy" to assure equal opportunity and access to higher education.

Costing the state $115 million in 1985-86, the Commission offers six outright grant programs which serve nearly 80,000 students:

- Cal Grant A State Scholarship Program provides tuition assistance for students at both public and private colleges and universities;
- Cal Grant B Opportunity Grant Program provides both tuition and other living-expense assistance to needy students;
- Cal Grant C Occupational Training Grant Program provides tuition assistance for students attending vocational and technical schools;
- Graduate Fellowship Program provides a small amount of graduate and professional student assistance;
- Bilingual Teacher Educational Grant Program provides tuition and subsistence aid to students studying for bilingual teacher certificates; and
- Law Enforcement Personnel Dependents Program provides tuition and subsistence allowance to dependents of law enforcement personnel killed or disabled in the line of duty.

Despite the program increases, "By and large, student aid has not kept pace with inflation," Callan says. "If you look at tuition and fees alone, you find that the Cal Grant Programs are covering a smaller portion of costs to students even though the programs are bigger and serving many more students."

### A commission report

Callan's commission last spring published a two-phase report — at the Legislature's insistence — on the effectiveness of Cal Grant programs and offered options for improvement. While there has been a dramatic increase in the number of applicants and recipients, the report found that the number of awards has not grown and that a widening gap has developed between students' costs and the amount of each grant. Fewer students, especially those from disadvantaged backgrounds, complete the cumbersome application process, and a reduced proportion of awards are going to new high school graduates, the report said.

But it is the Student Aid Commission's management of the federally-sponsored, state-administered Guaranteed Student Loan program which has attracted the greatest attention, criticism and growing pains. Only six years old, the once-restrictive California program has ballooned into a $3 billion operation which has helped more than one million students attend college. At the same time it has raised serious questions about "a ticking time bomb" of student indebtedness and default. With ten financial institutions,

*Curtis Richards is a freelance writer from Sacramento.*



LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

including two major New York-based lenders, reigning over 90 percent of the GSL market in this state, students are currently borrowing $650 million a year.

Amid charges of "excessive disdain for the basic requirements" of state government and "inept management," Marmaduke, 58, who light-heartedly prides himself as being the most tenured state departmental head, announced last June that he would step down in December. In mid-October, the Student Aid Commission announced that Sam Kipp III, a 41-year-old policy analyst on Callan's staff, would replace Marmaduke.

"Student financial aid has been discovered in the national press, Congress and the state Legislature as a big-ticket item," Marmaduke said. "It's not been understood, and we're not explaining it very well. I think the Legislature is frustrated because student financial aid deceivingly appears to be simple until you get into it and it turns out to be quite complex."

"In 1977-78 loans represented 19 percent of a student's financial-aid package in California. This year, they'll be about 52 percent," says Marmaduke, whose distaste for the loan program is well known. "This represents an unconscious public policy decision. Implicit in this kind of change is a shifting of college costs from one generation to another. It really means that we're shifting college costs from parents and taxpayers to students. There's been no conscious policy decision; it's just been evolutionary."

Noting that he is "quite alarmed by the rapid acceleration of student borrowing," Callan said today's students are assuming higher debt levels and that nearly one-fourth of all California freshmen now apply for a GSL.

"At what point does debt burden unduly influence a student's choice of schools and careers? What does this mean for those students we're trying so hard to attract into school, the low-income and minority students who are the first generations in their families to go to college?"

### Drifting toward default

"If anyone had presented a bill to the Legislature five years ago which said we ought to begin requiring students to borrow more money and then pay it back out of future earnings, my guess is that such a proposal would have been defeated," Callan prophesies. "Instead, we've sort of drifted and the only attention we've gotten is when default rates are high. Default rates are a serious problem, but not the basic problem. The basic problem is that we're probably loaning too much money."

As the default rate climbed from 9 percent in 1983 to more than 13 percent today, pressure began mounting on the Student Aid Commission from all directions. For example, the commission's own advisory Loan Study Council, which includes lenders, called for the limitation, suspension or termination of schools with excessive default problems. That policy-recommendation has been stalled for over a year by the commission staff. Newspaper accounts and editorials have attacked the commission for its "runaway," "spiralling" and "out-of-control" default rate and for its ineffective program management.

"The loan program is a bureaucracy that's out of control," charges Anaheim Republican Senator John Seymour who held the commission's budget in suspense this year. "One day the public is going to pick up the newspaper and read that the delinquency rate is at 25 percent, and they are going to call for a screaming halt. If that should occur, then all the student-aid programs are going to be in danger."

Referring to such comments as "the mythology of default," Marmaduke contends that the California default rate is "right at the national average." Noting that California has a newer loan program with many different characteristics, including insufficient staff support, than other states, Marmaduke says, "To be somewhat defensive, there are reasons why California should have a much higher default rate."

Blaming Congress for "an absence of public policy concerning an acceptable default rate" for the federal program, Marmaduke states that Congress "established a program to encourage banks to take a risk on students whom they wouldn't normally lend to, but they never established a policy on how much risk they were willing to underwrite."

"The commission was able to provide the leadership when the programs were small and the constituencies were small and really had some goals," he adds. "Now, we have a situation where the programs are so diverse that the constituents really are not sure what they want from the commission."

Callan said there is a general consensus among the leadership of higher education on the need for a comprehensive evaluation of student aid in California. "Just tinkering with one program or another is not going to be sufficient to arrest some of the trends we're most concerned with in student aid."

"The problem isn't having the debate and coming up with the wrong answers," he surmises. "The problem is that we haven't had the informed and spirited debate at all."

*Advertisement*

# PARTICIPATORY LAWMAKING

*A Practical Introduction to the Political Process & Lobbying*

The Extended Learning Programs at California State University, Sacramento will again be offering **PARTICIPATORY LAWMAKING** (Govt. 96A) January 2, 1986 through January 22, 1986. The course is an excellent opportunity for an individual introduction to and a personal involvement in state lawmaking, with a particular emphasis on the acquisition of lobbying skills appropriate to any career.

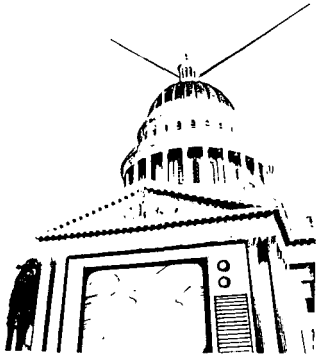
One, two or three units of academic credit can be awarded, depending on level of involvement and duration of course. **PARTICIPATORY LAWMAKING** is regularly taught twice yearly for three weeks in January and June.

**PARTICIPATORY LAWMAKING** is a component of **CAPITOL BRIEFING**, a continuing education program developed in association with the CSU, Sacramento Extended Learning Program and the CSUS Center for California Studies.

For more information and registration materials, please contact CSUS Extended Learning Programs, 6000 J Street, Adm. 272, Sacramento, CA 95819-2694.



LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED



Wiring the Legislature

# Are lawmakers future stars of cable TV?

By MARC LIFSHER

Hardcore video junkies and dedicated couch potatoes tired of sitcoms, soaps and game shows may be in for a new visual adventure:

**Live, from the Capitol, it's the California Legislature!**

Lawmakers, who want to televise their sessions, know they won't win rating wars with gavel-to-gavel coverage of less-than-incendiary debates on dull-but-important issues. Nevertheless, Republican Assemblyman Larry Stirling of San Diego says that California is ready to put legislators on the small screen. To this end he's planning next year to wire the Capitol Building for video to show viewers just how politicians go about the people's business.

That is admittedly risky business, but Stirling wants televised sessions "to focus people's expectations on what is real" in state government. Other legislators, however, fear televised sessions would make camera hogs and grandstanders of their colleagues. "I think it will make those members of the Legislature who have a passion for posing the only people who would be occupying the screen . . .," complains GOP Assemblyman Nolan Frizzelle of Huntington Beach. "I'm afraid that we tend to get sidetracked from the issues and solving problems in the attempt to pose for the cameras."

Commercial and public television stations and the cable industry say they're interested in televising the Legislature but are skeptical that many viewers would forego daytime TV for dry droning from 120 state lawmakers. "I just don't think the public would sit at home in front of the TV and watch the stuff. Maybe shut-ins and stay-at-homes who have got nothing to do would flip it on once in awhile," says Steve Swatt, Capitol correspondent for KCRA-TV in Sacramento.

"I think (cable operators) might be a little wary," says Vic Bionci of the California Broadcasters Association. "(Covering) Congress is one thing, but the state Legislature is not the Congress of the United States . . . To expect cable to pick up (the Legislature) and cover it every day is a little chancey."

Cable operators would seriously consider gavel-to-gavel coverage if they were not forced to bear all the costs, says Dennis Mangers, lobbyist for the California Cable Television Association. Mangers, himself a former assemblyman, says initial viewer demand for watching the Legislature should be low but predicted that "like CSPAN on the federal level, an audience would grow over the years."

CSPAN (the Cable Satellite Public Affairs Network), a non-profit cooperative that has been covering the House of Representatives since 1979, is now an unqualified success, reaching 22 million people, says spokeswoman Liz Bauer. "There is a group that calls itself the 'CSPAN Junkies.' We get letters frequently from them."

(The U.S. Senate has thus far refused to join the House in gavel-to-gavel coverage, voting as late as last month to keep the cameras out.)

### Cam scam

The recent "cam scam" controversy upset many Junkies, who felt tricked by Republican congressmen making afternoon "special order" speeches. To viewers, the Republicans, facing a stationary camera, appeared to be talking to a full House. But after an outraged Democratic Speaker Thomas "Tip" O'Neill ordered cameras to pan the empty chamber, "many viewers were shocked to find there weren't congressmen filling the aisles," says Bauer.

Televising the state Legislature has proven its worth in Nebraska, one of a handful of states with full or partial legislative coverage, says Jack McBride, general manager of the Nebraska Educational Television Commission. "We'd recommend it to any state. It's not only educational but is a valuable service. It's a godsend for lobbyists who can monitor it with ease from the comfort of their offices." McBride credits its television with improving the dress and decorum of the state's one-house Legislature. "We find that some state senators are more adept at taking advantage (of the camera) . . . so, we find some speaking a bit more frequently than would be the case. But basically, (the coverage) has helped the quality of the debate," he says.

The idea of wiring the California Capitol for television is not a new one. In 1982, for instance, one of the companies bidding on a cable-television contract for the city of Sacramento had as part of its proposal a plan to provide similar coverage of the Legislature. Under that proposal, The California Center, publishers of *California Journal*, would have handled editorial chores. Although that bid was ultimately turned down, the Center is still interested in being part of any subsequent television operation involving the Legislature.

Wiring the Capitol, which is scheduled to receive basic cable service within two years, could benefit government with more than just gavel-to-gavel coverage of the Legislature, says Democratic Assemblyman Sam Farr of Carmel.

Farr is impressed with a state-of-the-art electronics system recently installed in the Canadian Parliament. The system's chief engineer, Jim Phillips, says the $4.5 million audiovisual network makes Parliament "more productive and more efficient" by providing members with coverage of sessions, committee hearings, press conferences, network television news summaries and taped records of all proceedings. He says the system's satellite link to hundreds of cable operators and members' district offices keeps legislators in closer contact with their constituents.

Stirling hopes television will keep him more in touch with his distant San Diego district. He says the benefits of television outweigh legislators' qualms about being on the tube.

"All that happened (in Congress) is they lost 4000 pounds, collectively, they shifted to blue shirts and some guys learned to speak better," Stirling says. "Other than that, (television) didn't change how Congress operates."

*Marc Lifsher is Sacramento correspondent for* The Orange County Register.



LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

(A review of top stories during the past 30 days.)

## BRADLEY CAMPAIGN MANAGER NAMED

**(October 14th):** Mary Nichols, head of the state Air Resources Board under former Governor Jerry Brown, was named to manage the 1986 gubernatorial campaign of Los Angeles Mayor Tom Bradley. She will work for campaign chairman Tom Quinn. Nichols had been president of the League of Conservation Voters, and her appointment is seen as an attempt by Bradley to strengthen his ties to environmentalists. Those ties were shaken by Bradley's support for the Peripheral Canal in 1982 and by his approval in January 1985 of off-shore drilling near Pacific Palisades. In a related matter, Bradley's top aide — Deputy Mayor Tom Houston — issued a directive that forbid members of the mayor's staff from speaking with reporters without special permission from Houston or press deputy Ali Webb.

## CAMPAIGN REFORMS UNVEILED

**(October 16th):** A privately-funded, bipartisan commission — made up of leaders from business, politics, education and law — released the results of an 18-month study of campaign-finance costs, including proposals to curb the upward spiral in those costs. Among other proposals, the commission recommended banning the transfer of campaign funds from one candidate to another, prohibiting fund-raising in non-election years (see story, page 511), limiting contributions and expenditures and a limited system for publicly financing campaigns. In a related matter, the state Fair Political Practices Commission announced that more than $36 million was spent to lobby the Legislature and various state agencies during the first half of 1985. Pacific Gas and Electric Company topped the list with over $5 million, although a PG&E spokesman said the bulk of that amount was spent "to participate in legally required, formal hearings."

## HEDGECOCK VERDICT IN DOUBT

**(October 17th):** The trial of San Diego Mayor Roger Hedgecock took a new twist as Hedgecock's attorney, Oscar Goodman, accused a court bailiff of jury tampering and asked that a new trial be granted. One of the jurors, Kathleen Saxton-Calderwood, submitted a statement saying that she felt pressured by the bailiff during jury deliberations. Hedgecock was found guilty in late October on 13 felony counts and faced resignation from office once that verdict was entered into the record by trial Judge William L. Todd Jr. Goodman also asked that Todd be removed from the case. (In later actions, Todd refused to remove himself from the case, an action upheld by a state court of appeal. However, on November 1st the state Supreme Court put the entire proceeding on hold until it decided whether it will consider removing Todd. Meanwhile, Hedgecock, who said he would resign from office on November 5th, reversed that decision until the jury-tampering issue is resolved.)

## DAN WHITE COMMITS SUICIDE

**(October 21st):** The final act of a San Francisco tragedy occurred as former Supervisor Dan White, convicted of the 1978 slayings of Mayor George Moscone and Supervisor Harvey Milk, committed suicide in the garage of his brother's home in San Francisco. White, 39, served a little over five years in prison for the crimes after a jury agreed that the killings were the result of diminished capacity brought on by junk-food induced depression. That verdict led to riots in San Francisco's gay community (which Milk served) and to the elimination of the diminished-capacity defense in California courts. White was released from Soledad Prison in January.

## BOYS CLUBS MUST ADMIT GIRLS

**(October 21st):** In a decision that could eventually affect organizations as diverse as the Girl Scouts and the Rotary, the state Supreme Court ruled that a Santa Cruz Boys Club violated the state's civil rights act by excluding girls. The majority opinion, written by Justice Joseph Grodin, called the Club a "business," and that interpretation brought it under guidelines set down in the Unruh Civil Rights Act. Grodin contended that the opinion was limited to the Santa Cruz case. But in his dissent, Justice Stanley Mosk warned that the ruling could eventually affect fraternities and sororities, college dormitories, and organizations like the Campfire Girls.

## DUFFY TO LEAVE ASSEMBLY

**(October 22nd):** Democratic Assemblywoman Jean Moorhead Duffy of Sacramento announced that she would not seek reelection for a fifth term in 1986. Duffy, who was elected as a Republican in 1978 but switched parties in 1981, is married to former GOP Assemblyman Gordon Duffy, a Sacramento lobbyist. She said she is stepping down in order to spend more time with her family. Since her switch, however, Mrs. Duffy has suffered the wrath of Republicans who each election pour a great deal of money and resources into the effort to oust her. In 1984 she narrowly escaped defeat at the hands of real estate executive Tim Leslie.

## EPA FINES REPUBLICAN LEADER

**(October 22nd):** A Bakersfield company owned by state GOP Vice Chairman William Park has been fined for the second time by the federal Environmental Protection Agency. The $14,000 fine was ordered because Park's company — Environmental Protection Corporation — failed to submit reports on hazardous wastes at a Kern County dump. In June 1984 the company was fined $25,000 for not having an adequate monitoring system at the dump. Park is scheduled to become state GOP chairman in 1987 but could move up sooner if the current leader, Los Angeles County Supervisor Mike Antonovich, decides early next year to run for the U.S. Senate.

## FPPC: NO FINE FOR VICENCIA

**(October 23rd):** The state Fair Political Practices Commission notified Assembly Speaker pro Tempore Frank Vicencia that it would not fine him for failing to disclose income from his biggest insurance clients. The FPPC investigation concluded that Vicencia, a Bellflower Democrat, was negligent, but declined to issue a fine because the "negligence was not serious." (In a major article published on October 27th, *San Jose Mercury News* Capitol correspondent David Willman detailed the connection between Vicencia's clients and his legislative record.)

## DUKE: NO MORE NUKES

**(October 24th):** Governor George Deukmejian, once a


LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

staunch defender of nuclear power plants, completed a two-day tour of state energy facilities by saying that California won't need any new nuclear plants in the foreseeable future. Because of the development of alternative and renewable energy sources, the state has enough electrical generating capacity to get along without nuclear plants, he said. The governor's comments marked a turn-around for the state's chief executive who, as a state senator, supported construction of San Diego Gas & Electric's proposed nuclear plant at Sundesert. Those plans were scrapped in 1979.

## STATE BAR ASKS FOR DUES POWER

**(October 29th):** The State Bar appealed to the state Supreme Court to help it overcome a budget crisis brought about when the Assembly failed to pass a bill giving the Bar the authority to collect dues from its members (see story, page 503). Bar officials asked the Court to act before December 1st to prevent a lay off of some 400 employees. The Bar's argument is that as an arm of the judicial branch, it doesn't need legislative approval to collect dues and that the Court may grant it authority even without legislative approval.

## HIGH COURT NOMINEE

**(November 2nd):** Governor Deukmejian selected Court of Appeals Justice Edward A. Panelli for an appointment to the state Supreme Court. Panelli will succeed retired Justice Otto Kaus. The 54-year-old San Jose native is Deukmejian's second appointment to the high Court, the first being Justice Malcolm Lucas. Ironically, as attorney general, Deukmejian blocked Panelli's appointment to the appeallate court in 1982 in a dispute over former Governor Jerry Brown's attempt to name several judges just before leaving office. But Deukmejian himself elevated Panelli to the appeallate bench from the Santa Clara Superior Court in 1983. If confirmed for the Court by the Commission on Judicial Appointments, Panelli will then join Chief Justice Rose Bird and four other associate justices for a confirmation vote on the November 1986 ballot.

## FPPC HEAD TAKES LEAVE

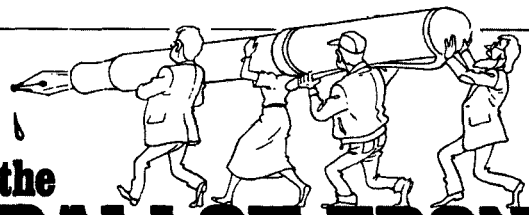
**(November 4th):** Dan Stanford, chairman of the state Fair Political Practices Commission, announced that he will take a month-long leave of absence to explore a possible run for statewide office. The 35-year-old Stanford, appointed to the FPPC by Governor Deukmejian, ruled out running for mayor of his native San Diego while leaving open the possibility that he would enter the Republican primary for lieutenant governor, secretary of state, treasurer or controller. Stanford said he is taking the leave of absence to quell any conflict-of-interest charge.

## GEOGHEGAN NAMED TO CABINET

**(November 5th):** Governor Deukmejian nominated Sacramento-area lobbyist John Geoghegan to be secretary of the Business, Housing and Transportation Agency. If confirmed by the Senate, he will fill a vacancy left by the resignation of Kirk West last June. The 52-year-old Geoghegan has been manager of governmental relations for Shell Oil Company since 1983. A veteran of state service, Geoghegan served as director of the Department of Commerce under former Governor Ronald Reagan. He was also a former vice president of the California Manufacturers Association.

## LOTTERY WINNER FACES DEPORTATION

**(November 5th):** One of the three Californians to thus far win $2 million in the state's lottery turned out to be an illegal alien who faces deportation to Mexico. Jose Adalid Caballero, a 24-year-old furniture deliverer from San Jose, won the $2 million prize during a televised spin-off on November 4th. Caballero, who arrived in the United States in January, admitted his status to lottery officials. He will gross about $70,000 per year for 20 years and will be allowed to keep his winnings.



# the BALLOT FRONT

*A roundup of statewide initiative proposals. All statutes require 393,835 valid signatures; constitutional amendments require 630,136. In parentheses is the deadline for sponsors to submit signatures to county clerks, and the issue of* California Journal *that contains a full explanation of each measure.*

### New in circulation:

**TORT DAMAGES** — an initiative statute, sponsored by Gene Livingston of Sacramento, aimed at reducing the "deep pockets" liability of state and local governments in injury cases by limiting non-economic awards (pain and suffering, as opposed to loss of wages, medical expenses, etc.) in proportion to each defendants percentage of fault. (March 3, 1986)

**ABORTION** — an initiative constitutional amendment, sponsored by Susan Sassone of Fountain Valley, that would prevent any public money from being spent "directly or indirectly for the killing of innocent human individuals from fertilization until natural death." (February 21, 1986)

### Continuing in circulation:

**PUBLIC-FUNDED ABORTIONS** — an initiative constitutional amendment, sponsored by Renate Penny and Muriel Brown from the Institute for Child Care Studies of Sacramento. (December 19th, September 1985)

**INJURY AWARDS** — an initiative constitutional amendment, sponsored by David Sabih of Pacific Grove. (December 19th, September 1985)

**REAPPORTIONMENT** — an initiative constitutional amendment, sponsored by Republican Assemblyman Don Sebastiani of Sonoma. (December 23rd, September 1985)

**REAPPORTIONMENT OF DISTRICTS** — an initiative statute, also sponsored by Assemblyman Sebastiani. (December 23rd, September 1985)

### Failed to qualify:

**ANTI-APARTHEID POLICY** — an initiative statute, sponsored by Jules S. Barnes III of the American Roundtable of Sacramento, that made findings and declarations concerning the apartheid policy of South Africa. The statute also required the governor to transmit these findings and declarations to the Legislature, urging lawmakers to enact an appropriate public policy against apartheid. It also required the governor to transmit the same message to Congress.

Source: Secretary of State March Fong Eu


LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Perspective from
# WASHINGTON
By Leo Rennert

## A glittering prize

California's political, business and academic establishment is making a serious bid for the biggest federal science project on the horizon — a new-generation atom-smasher that could lead to spectacular breakthroughs in probing the secrets of the universe's tiniest particles. Known as the Superconducting Super Collider (SSC), it represents a quantum leap over the biggest high-energy accelerators now in operation — Europe's CERN facility on the French-Swiss border and the Fermi lab near Chicago. It will consist of a circular underground tunnel with a diameter of 20 to 30 miles containing super-powerful magnets that accelerate protons to unbelievable speeds, setting up collisions that produce ever-smaller bits of matter. The ultimate payoff: undreamed-of knowledge of the behavior of the tiniest sub-atomic particles and laboratory replicas of the basic forces that created the universe — a new window on nature in its smallest and largest forms. Industrial applications from these discoveries could be enormous. To bring it off would require a capital investment of up to $6 billion, an annual operating budget of $250 million and a permanent staff of 2500 scientists and technicians.

THE U.S. ENERGY DEPARTMENT has spent $40 million on preliminary plans, and nearly a dozen states are firing up their big guns for the site-selection contest. The winner may have to do more than offer an attractive location. At a time of growing concern over budget deficits, Washington will be looking for sizeable local and state contributions — perhaps on the order of $500 million. Scientists and government officials involved in the selection process promise there will be no political hanky-panky in their decisions. But with so much at stake, political pressures are inevitable. A fierce shoving match already is under way. Starting from state capitals, the battle lines stretch all the way to Congress and the White House.

California faces competition from the Northwest, the Sun Belt, the Rocky Mountain region and the Midwest. In the early going, Texas and Illinois loom as the most potent challengers — with Arizona a possible compromise choice if bigger states end up bloodying each other too much. Texas has been pouring big bucks into its universities and luring Nobel Prize winners in an effort to enhance its academic reputation. It will spare no effort — in money or political influence — to get the SSC as its admission ticket to the top strata of scientific research. It also has two key players on the national scene who could be helpful in tipping the scales — Vice President George Bush and House Majority Leader Jim Wright. The site-selection battle will take place as the two Texans make their big push for higher office — Bush for president and Wright for speaker. While this gives Texas powerful ammunition, it also poses a ticklish problem for Bush and Wright, who cannot be seen acting in a provincial manner while seeking to build national constituencies for their own advancement. Illinois starts off with a big edge because Fermi could be used as a building block for the new and bigger accelerator at a saving of perhaps several hundred million dollars in site-acquisition and construction costs.

To strengthen its bidding posture, California has mustered its top political guns in Sacramento and Washington in a rare show of bipartisan cooperation. Governor Deukmejian, the Legislature, the state's two U.S. senators — Democrat Alan Cranston and Republican Pete Wilson — and the 45-member House delegation are working with academic, business and labor leaders to present a united front. But the facade of unity is under some strain. Regional and partisan rivalries lurk just below the surface. Going into the contest, California will have to fight on two fronts — internally to preserve cohesion and externally to ward off challenges to its preeminent scientific and high-tech position.

California lost the last such fight in the 1960s when Illinois won the Fermi lab. There was a strong feeling at the time that California, having previously walked away with Stanford's linear accelerator, shouldn't get a lock on this type of research and that a federal investment of this magnitude should be used to strengthen the scientific base of other regions. This time, Texas and other "have not" bidders can be expected to adopt this argument — at Illinois' and California's expense.

TO HOLD INTERNAL DIVISIONS in check, California set up its own site-selection panel, composed of scientists from Stanford, Cal-Tech and the University of California. It has pinpointed three locations — one in the Mojave Desert around Edwards Air Force Base, another east of Stockton and a third west of Sacramento — with a final decision due by year's end. Each site has some problems. The northernmost, near Sacramento, has a high water table that may add to construction costs. The other two are remote from major metropolitan and transportation centers. Choosing among them was made more difficult because they were linked with three members of the congressional delegation adept at promoting local interests in pork-barrel fights — Republican Bill Thomas of Bakersfield and Democrats Tony Coelho of Merced and Vic Fazio of West Sacramento. Given California's north-south quarrels, it's not at all certain that once a particular site is chosen, statewide harmony can be maintained. The governor's role also has raised some questions. Since his name has been raised as a possible vice-presidential candidate on a Bush ticket in 1988, Deukmejian may find himself squeezed between California's interests and national ambitions tied to the political fortunes of a Texan.

To complicate matters, the sheer cost of the project during a period of domestic retrenchment has sent California and other states scrambling to find ways to lighten Washington's burden. California, in its search for well-heeled public and private contributors, even began to sound out Japan on a possible financial partnership for the SSC. The biggest challenge facing California, however, is more fundamental and brings into question its basic outlook, values and objectives as it prepares for the 21st Century. Is it still intensely eager to lead the country to new frontiers or is it content to rest on past laurels and defer to other regions clawing their way to the top? Whatever the outcome, the fight for the SSC may tell a lot about California's current sense of its own role in the world.


LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

# The California ROAST

**"Honored" Guest:**

## President Pro Tem DAVID ROBERTI

**Toasted by a panel of celebrity roasters**

Sacramento's most enjoyable political event.

A benefit for California Journal and the Coro Foundation.

**January 29th 1986**

Time: 6:30 cocktails — 7:30 dinner
Sacramento Community Convention Center

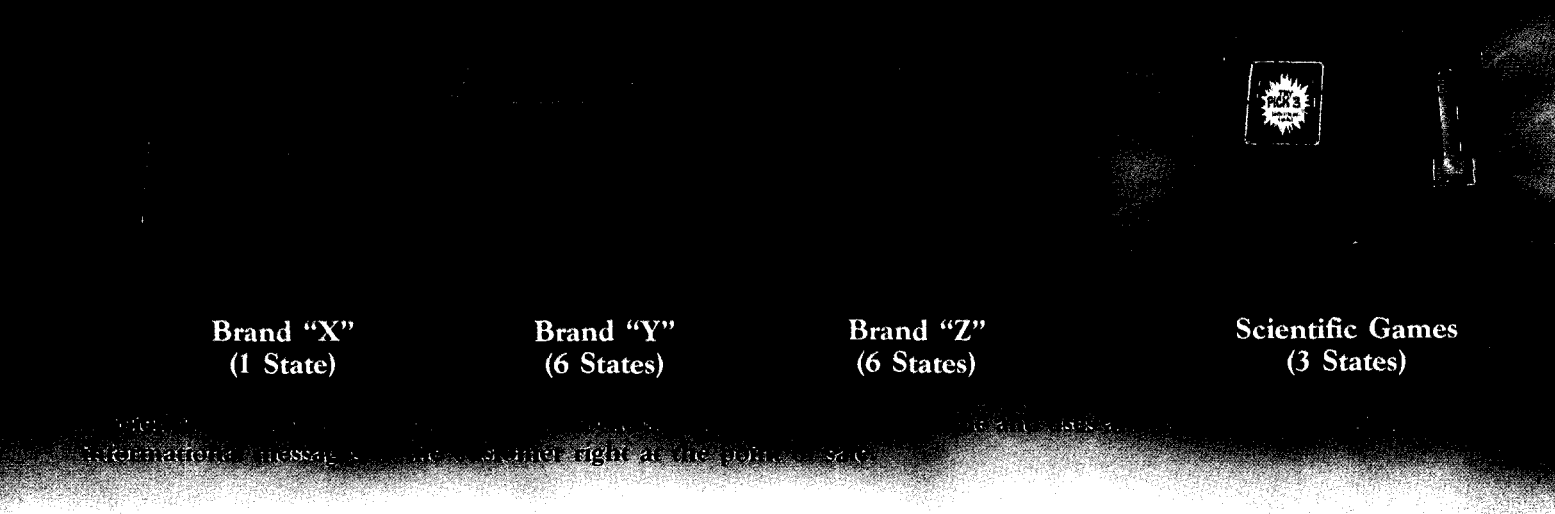
Tickets: $75.00 each
Contributions are tax-deductible
Organizational and individual sponsorships available

Call for information and reservations:

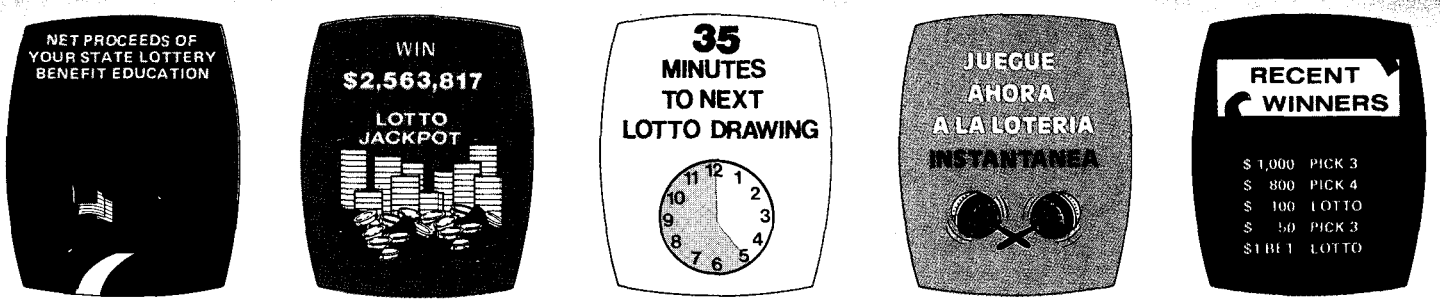
**(916) 444-2840**
**(213) 623-1234**
**(415) 863-4601**

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

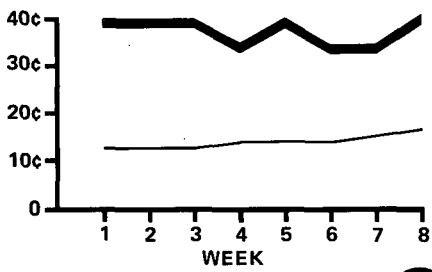
# The 4 U.S. On-Line Lottery Terminals As Seen From The Lottery Customer's Point-Of-View — The Direction That Counts!



Brand "X" (1 State) | Brand "Y" (6 States) | Brand "Z" (6 States) | Scientific Games (3 States)




**Animated color television — the most effective consumer advertising medium known — enables Scientific Games' new on-line terminal to generate over 300% better lotto sales than the conventional on-line terminals engineered 4 - 7 years ago.**




**Weekly per capita start-up lotto sales in Maine, New Hampshire, and Vermont using Scientific Games' on-line terminal.**

**Average weekly per capita start-up lotto sales for 13 other U.S. lotteries with conventional terminals.**

## On-Line On-Time

**Scientific Games has started up all 4 of its on-line state lottery systems on-time (Maine, New Hampshire, Vermont and Illinois video).**

## Unheard Of Reliability And Up-Time

**Scientific Games' advanced, new, state-of-the-art on-line lottery system in Maine, New Hampshire, and Vermont uses the highly reliable fault-tolerant Stratus computer. As of November 5, 1985 (when this was written), our on-line lottery system in Maine has been in continuous operation with 100.00% up-time for 128 consecutive days without ever having gone down since its original on-time start-up at 6 AM, July 1, 1985.**

**Scientific Games, Inc.** **The Full Service Lottery Company**

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED